

9-16-2014

## State v. Edwards Clerk's Record v. 2 Dckt. 42202

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IN THE  
**SUPREME COURT**  
OF THE  
**STATE OF IDAHO**

Supreme Court Docket #42202-2014  
Bonner County CR2013-3324

**STATE OF IDAHO**

*Plaintiff / Respondent*

VS.

**JODIE MARIE EDWARDS**

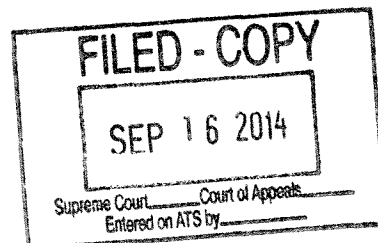
*Defendant / Appellant*

**CLERK'S RECORD ON APPEAL**

*Appealed from the District Court of the First Judicial District  
of the State of Idaho, in and for the County of Bonner.*

Lawrence G. Wasden,  
Attorney General  
*Attorney for Respondent*

Sara B. Thomas  
State Appellate Public Defender  
*Attorney for Appellant*



42202

IN THE SUPREME COURT OF THE  
STATE OF IDAHO

STATE OF IDAHO,	)	
	)	
Plaintiff-Respondent,	)	SUPREME COURT NO. 42202-2014
	)	BONNER COUNTY CR2013-3324
v.	)	
	)	
JODIE MARIE EDWARDS	)	
	)	
Defendant-Appellant.	)	
_____	)	

Appeal from the First Judicial District, Bonner County, Idaho

HONORABLE BARBARA BUCHANAN, presiding,

Lawrence G. Wasden, Attorney General, PO Box 83720, Boise, Idaho 83720-0010

Sara Thomas, State Appellate Public Defender, PO Box 83720, Boise, Idaho 83720-0005

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF BONNER

STATE OF IDAHO,	)	SUPREME COURT NO. 42202-2014
	)	BONNER COUNTY CR2013-3324
	)	
Plaintiff/Respondent,	)	
vs.	)	CLERK'S RECORD ON APPEAL
	)	
JODIE MARIE EDWARDS	)	
	)	
	)	
Defendant/Appellant.	)	
_____	)	

CLERK'S RECORD ON APPEAL

Appealed from the District Court of the First Judicial District of the State of Idaho, in and for  
the County of Bonner.

HONORABLE BARBARA BUCHANAN  
District Judge

MR. LAWRENCE WASDEN  
ATTORNEY GENERAL  
P.O. BOX 83720  
BOISE, ID 83720-0010

ATTORNEY FOR RESPONDENT

MS. SARA B. THOMAS  
STATE APPELLATE PUBLIC DEFENDER  
PO BOX 83720  
BOISE, ID 83720-0005

ATTORNEY FOR APPELLANT



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State of Idaho vs. Jodie Marie Dill

Date	Code	User	Judge
7/5/2013	PROS	FORELL	Prosecutor assigned Shane L. Greenbank
	NCRF	FORELL	New Case Filed - Felony
	JLBS	FORELL	Jail Booking Sheet
			Document sealed
	NOTR	FORELL	Notification of Rights
	HRSC	FORELL	Hearing Scheduled (In Custodies 07/05/2013 01:15 PM)
	ORPC	FORELL	Order Finding Probable Cause
	CRCO	FORELL	Criminal Complaint
	CMIN	FORELL	Court Minutes Hearing type: Video In Custody Hearing date: 7/5/2013 Time: 1:52 pm Courtroom: Court reporter: Minutes Clerk: Jola Forell Tape Number: Ct Rm #4 Defense Attorney: Prosecutor: Shane Greenbank
	ARRN	FORELL	Hearing result for In Custodies scheduled on 07/05/2013 01:15 PM: Arraignment / First Appearance
	ORPD	FORELL	Defendant: Edwards, Jodie Marie Order Appointing Public Defender Public defender Public Defenders
	JLIS	FORELL	Jail Information Sheet
	BSET	AYERLE	BOND SET: at 20000.00
	AFPC	AYERLE	Affidavit Of Probable Cause
7/8/2013	HRSC	FORELL	Hearing Scheduled (Preliminary 07/17/2013 01:30 PM)
		FORELL	Notice of Hearing
	DRCQ	FORELL	Driving Record Requested
	BNDS	MORELAND	Bond Posted - Surety (Amount 20000.00 )
7/9/2013	NOAP	MORELAND	Notice Of Appearance, Request for Timely Preliminary Hearing, motion for Bond Reduction & Notice of Hearing
	REQD	MORELAND	Defendant's Request for Discovery
	APER	MORELAND	Defendant: Edwards, Jodie Marie Appearance Janet K. Whitney
	NTDF	BRACKETT	Notice to Defendant
	REQP	OPPELT	Plaintiff's Request For Discovery
	RESP	OPPELT	Plaintiff's Response To Request For Discovery
	DRCD	FORELL	Driving Record

State of Idaho vs. Jodie Marie Dill

Date	Code	User		Judge
7/10/2013	RRFD	PHILLIPS	Response To Request For Discovery	Debra A. Heise
7/11/2013	RRFD	MORELAND	Plaintiff's Supplemental Response To Request For Discovery	Debra A. Heise
7/17/2013	HRSC	AYERLE	Hearing Scheduled (Preliminary 08/07/2013 01:30 PM)	Justin W. Julian
		AYERLE	Notice of Hearing	Debra A. Heise
	CMIN	AYERLE	Court Minutes Hearing type: Preliminary Hearing date: 7/17/2013 Time: 1:41 pm Courtroom: Court reporter: Minutes Clerk: Susan Ayerle Tape Number: 4 Defense Attorney: Janet Whitney Prosecutor: Shane Greenbank	Debra A. Heise
	HRHD	AYERLE	Hearing result for Preliminary scheduled on 07/17/2013 01:30 PM: Hearing Held	Debra A. Heise
	CONT	AYERLE	Hearing result for Preliminary scheduled on 07/17/2013 01:30 PM: Continued	Debra A. Heise
	RQFD	TURNBULL	Defendant's First Supplemental Request For Discovery	Debra A. Heise
	CTLG	TURNBULL	Court Log- PC for Search Warrant CTRM# 4 TIME: 236	Debra A. Heise
	MISC	TURNBULL	Search Warrant issued	Debra A. Heise
	AFFD	TURNBULL	Supplemental Affidavit in support of request for search warrant	Debra A. Heise
7/25/2013	SUPR	TURNBULL	Plaintiff's Supplemental Response To Request For Discovery	Debra A. Heise
7/26/2013	SUPR	TURNBULL	Plaintiff's Supplemental Response To Request For Discovery	Debra A. Heise
7/29/2013	MISC	TURNBULL	Search Warrant returned	Debra A. Heise
8/7/2013	CHJG	SECK	Change Assigned Judge	Justin W. Julian
	ORDR	SECK	Order Consolidating Cases	Justin W. Julian
	CONS	SECK	Consolidation Of Files - CR-2013-3324 (F) and CR-2013-3524(M)	Justin W. Julian
	OADC	SECK	Order Holding Defendant To Answer To District Court	Justin W. Julian
	INFO	SECK	Information	Justin W. Julian

State of Idaho vs. Jodie Marie Dill

Date	Code	User	Judge
8/7/2013	CMIN	SECK	Court Minutes Hearing type: Preliminary Hearing date: 8/7/2013 Time: 2:02 pm Courtroom: Court reporter: Minutes Clerk: Melissa Seck Tape Number: ct 4 Defense Attorney: Janet Whitney Prosecutor: Shane Greenbank Justin W. Julian
	HRHD	SECK	Hearing result for Preliminary scheduled on 08/07/2013 01:30 PM: Hearing Held Justin W. Julian
	PHWV	SECK	Hearing result for Preliminary scheduled on 08/07/2013 01:30 PM: Preliminary Hearing Waived (bound Over) Justin W. Julian
	CHJG	SECK	Change Assigned Judge Barbara A. Buchanan
	HRSC	SECK	Hearing Scheduled (Arraignment/District Court 08/19/2013 09:00 AM) Barbara A. Buchanan
8/14/2013	SUPR	HENDRICKSO	Plaintiff's Supplemental Response to Request for Discovery Barbara A. Buchanan
8/19/2013	CMIN	CMOORE	Court Minutes Hearing type: Arraignment/District Court Hearing date: 8/19/2013 Time: 9:28 am Courtroom: Court reporter: Nancy Towler Minutes Clerk: Cherie Moore Tape Number: Ct 1 Defense Attorney: Janet Whitney Prosecutor: Shane Greenbank John Patrick Luster
	ARRN	CMOORE	Hearing result for Arraignment/District Court scheduled on 08/19/2013 09:00 AM: Arraignment / First Appearance John Patrick Luster
	PNGJ	CMOORE	Hearing result for Arraignment/District Court scheduled on 08/19/2013 09:00 AM: Plea of Not Guilty, Set for Jury Trial John Patrick Luster
	PLEA	CMOORE	A Plea is entered for charge: - NG (I37-2732(c)(1) {F} Controlled Substance-Possession of) John Patrick Luster
	HRSC	CMOORE	Trial Scheduled (Jury Trial - 3 Days 12/09/2013 09:00 AM) John Patrick Luster
	HRSC	CMOORE	Hearing Scheduled (Pretrial Conference 12/02/2013 03:00 PM) John Patrick Luster
9/9/2013	NOTL	CMOORE	Notice of Trial and Pretrial Order Barbara A. Buchanan
9/20/2013	MOTN	OPPELT	Motion to Suppress; Notice of Hearing Barbara A. Buchanan
	HRSC	OPPELT	Hearing Scheduled (Motion to Suppress 11/07/2013 02:00 PM) Barbara A. Buchanan
9/23/2013	SUBI	TAYLOR	Deputy Alex Hughes BCSO Barbara A. Buchanan

State of Idaho vs. Jodie Marie Dill

Date	Code	User	Judge
9/30/2013	RSPN	HENDRICKSO	State's Response to Defendant's Motion to Suppress Barbara A. Buchanan
10/17/2013	SHRT	HENDRICKSO	Sheriff's Return on Service - Alexander R. Hughs served 10-15-2013 Barbara A. Buchanan
11/5/2013	STIP	CMOORE	Stipulation for Hearing on Defendant's Motion to Suppress Barbara A. Buchanan
	BREF	CMOORE	Brief in Support of Defendant's Motion to Suppress Barbara A. Buchanan
11/7/2013	HRVC	CMOORE	Hearing result for Motion to Suppress scheduled on 11/07/2013 02:00 PM: Hearing Vacated - Judge to review file and write decision based upon Stipulate filed 11/05/13 Barbara A. Buchanan
11/8/2013	MEMO	OPPELT	Memorandum Decision and Order Re: Defendant's Motion to Suppress Barbara A. Buchanan
12/2/2013	LETT	HENDRICKSO	Letter from Defendant to Court Barbara A. Buchanan
	CMIN	CMOORE	Court Minutes Hearing type: Pretrial Conference Hearing date: 12/2/2013 Time: 3:33 pm Courtroom: Court reporter: Val Larson Minutes Clerk: Cherie Moore Tape Number: Ctrm 1 Defense Attorney: Janet Whitney Prosecutor: Shane Greenbank Barbara A. Buchanan
	DCHH	OPPELT	Hearing result for Pretrial Conference scheduled on 12/02/2013 03:00 PM: District Court Hearing Held Court Reporter: Val Larson Number of Transcript Pages for this hearing estimated: Less Than 100 Pages Barbara A. Buchanan
	HRVC	OPPELT	Hearing result for Jury Trial - 3 Days scheduled on 12/09/2013 09:00 AM: Hearing Vacated Barbara A. Buchanan
	NOFH	OPPELT	Notice Of Hearing Barbara A. Buchanan
	HRSC	OPPELT	Hearing Scheduled (Status 12/17/2013 11:00 AM) Barbara A. Buchanan
12/17/2013	CMIN	RASOR	Court Minutes Hearing type: Status Hearing date: 12/17/2013 Time: 1:17 pm Courtroom: Court reporter: Val Larson Minutes Clerk: Sandra Rasor Tape Number: 1 Defense Attorney: Janet Whitney Prosecutor: Shane Greenbank Barbara A. Buchanan
	MISC	OPPELT	Rule 11 Conditional Plea Barbara A. Buchanan
	WPOG	OPPELT	Written Plea Of Guilty Barbara A. Buchanan

State of Idaho vs. Jodie Marie Dill

Date	Code	User		Judge
12/17/2013	ALFP	OPPELT	Alford Plea	Barbara A. Buchanan
	PTSA	OPPELT	Pre-Trial Settlement Agreement	Barbara A. Buchanan
	ORDR	OPPELT	Conditional Plea Order	Barbara A. Buchanan
	PSIO2	OPPELT	PSI Face Sheet Transmitted	Barbara A. Buchanan
			Document sealed	
	PSSA1	OPPELT	Order for Presentence Investigation Report and Substance Abuse Assessment	Barbara A. Buchanan
	DCHH	OPPELT	Hearing result for Status scheduled on 12/17/2013 11:00 AM: District Court Hearing Held Court Reporter: Val Larson Number of Transcript Pages for this hearing estimated: Less Than 100 Pages	Barbara A. Buchanan
	CPGT	OPPELT	Hearing result for Status scheduled on 12/17/2013 11:00 AM: Change Plea To Guilty Before H/t	Barbara A. Buchanan
	PLEA	CMOORE	A Plea is entered for charge: - GT (I37-2732(c)(1) {F} Controlled Substance-Possession of)	Barbara A. Buchanan
12/27/2013	HRSC	OPPELT	Hearing Scheduled (Sentencing 02/18/2014 02:30 PM)	Barbara A. Buchanan
		OPPELT	Notice of Hearing	Barbara A. Buchanan
2/4/2014	REQU	CMOORE	Request for Bench Warrant (from Presentence Investigator)	Barbara A. Buchanan
2/5/2014	WARB	OPPELT	Warrant Issued - Bench Bond amount: 40000.00 Failure to Contact the Presentence Investigator Defendant: Dill, Jodie Marie	Barbara A. Buchanan
	STAT	OPPELT	STATUS CHANGED: Inactive	Barbara A. Buchanan
	BSET	OPPELT	BOND SET: at 40000.00	Barbara A. Buchanan
	HRVC	OPPELT	Hearing result for Sentencing scheduled on 02/18/2014 02:30 PM: Hearing Vacated	Barbara A. Buchanan
2/20/2014	LETT	OPPELT	Letter From Defendant to Judge Buchanan	Barbara A. Buchanan
2/25/2014	LETT	CMOORE	Letter to court (PSI Attachment) from Ryan McMorris, Pre-Sentence Investigator	Barbara A. Buchanan
3/10/2014	BNDE	OPPELT	Surety Bond Exonerated (Amount 20,000.00)	Barbara A. Buchanan
3/11/2014	WART	MUELLER	Original Warrant Returned Failure to Contact the Presentence Investigator Defendant: Dill, Jodie Marie	Barbara A. Buchanan
	STAT	MUELLER	STATUS CHANGED: Pending	Barbara A. Buchanan
	JLBS	MUELLER	Jail Booking Sheet	Barbara A. Buchanan
			Document sealed	
	NOTR	MUELLER	Notification of Rights	Barbara A. Buchanan
	HRSC	MUELLER	Hearing Scheduled (In Custodies 03/11/2014 11:00 AM)	William C. Hamlett
	FSTO	AYERLE	Financial Statement And Order (BCPD previously appointed)	William C. Hamlett

State of Idaho vs. Jodie Marie Dill

Date	Code	User	Judge
3/11/2014	CMIN	AYERLE	Court Minutes Hearing type: In Custodies Hearing date: 3/11/2014 Time: 11:19 am Courtroom: Court reporter: Minutes Clerk: Susan Ayerle Tape Number: 2 Defense Attorney: Prosecutor:
	HRHD	AYERLE	Hearing result for in Custodies scheduled on 03/11/2014 11:00 AM: Hearing Held FTC HEARING SET FOR MARCH 31ST AT 2:30 PM William C. Hamlett
	HRSC	AYERLE	Hearing Scheduled (Failure to Comply 03/31/2014 02:30 PM) Barbara A. Buchanan
		AYERLE	Notice of Hearing Barbara A. Buchanan
3/12/2014		CMOORE	Notice Vacating Hearing Barbara A. Buchanan
	HRVC	CMOORE	Hearing result for Failure to Comply scheduled on 03/31/2014 02:30 PM: Hearing Vacated (sentencing has been reset) Barbara A. Buchanan
	HRSC	CMOORE	Hearing Rescheduled (Sentencing 05/06/2014 01:30 PM) Barbara A. Buchanan
		CMOORE	Amended Notice of Hearing Barbara A. Buchanan
3/27/2014	MOTN	OPPELT	Motion to Release on Own Recognizance Barbara A. Buchanan
3/28/2014	ORDR	OPPELT	Order to Release on Own Recognizance John T. Mitchell
	ORDR	OPPELT	Order Setting Bond and Conditions of Release John T. Mitchell
3/31/2014	ORDR	CMOORE	Order Setting Bond and Conditions of Release - AMENDED (test between 7:30 and 8:00 AM) Barbara A. Buchanan
4/10/2014	NTDF	HENDRICKSO	Notice to Defendant Barbara A. Buchanan
4/21/2014	PSRT	HENDRICKSO	Presentence Report Barbara A. Buchanan
			Document sealed
4/22/2014	REQU	CMOORE	Prosecutor's Verified Application of Wilful Violation of Release/Bond Conditions & Request for Warrant Barbara A. Buchanan
	AFFD	CMOORE	Affidavit of Noncompliance Regarding Release Conditions (a Felony Offense) Barbara A. Buchanan
4/24/2014	WARB	CMOORE	Warrant Issued - Bench Bond amount: 40000.00 Failure to Comply with Release Conditions Defendant: Dill, Jodie Marie Barbara A. Buchanan
	STAT	CMOORE	STATUS CHANGED: Inactive Barbara A. Buchanan
5/6/2014	CAGP	BRACKETT	Court Accepts Guilty Plea (I37-2732(c)(1) {F} Controlled Substance-Possession of) Barbara A. Buchanan
	STAT	BRACKETT	STATUS CHANGED: closed pending clerk action Barbara A. Buchanan

State of Idaho vs. Jodie Marie Dill

Date	Code	User	Judge
5/6/2014		BRACKETT	Miscellaneous Payment: Community Service Sign Up Fee Paid by: Dill, Jodie Marie Receipt number: 0007373 Dated: 5/6/2014 Amount: \$20.00 (Cash)
	CMIN	CMOORE	Court Minutes Hearing type: Sentencing Hearing date: 5/6/2014 Time: 1:41 pm Courtroom: Court reporter: Val Larson Minutes Clerk: Cherie Moore Tape Number: Ctrm 1 Defense Attorney: Janet Whitney Prosecutor: Shane Greenbank
	DCHH	CMOORE	Hearing result for Sentencing scheduled on 05/06/2014 01:30 PM: District Court Hearing Held - Court Reporter: Val Larson - Number of Transcript Pages for this hearing estimated: less than 100 pages
	DPHR	CMOORE	Hearing result for Sentencing scheduled on 05/06/2014 01:30 PM: Disposition With Hearing
	PROB	CMOORE	Probation Ordered (I37-2732(c)(1) {F} Controlled Substance-Possession of) Probation term: 3 years. (Supervised)
	SNIC	CMOORE	Sentenced To Incarceration (I37-2732(c)(1) {F} Controlled Substance-Possession of) Confinement terms: Jail: 30 days. Credited time: 30 days. Penitentiary determinate: 2 years. Penitentiary indeterminate: 2 years.
	ORDR	CMOORE	Order of Restitution
	JDMT	CMOORE	Civil Judgment
	JDMT	CMOORE	Felony Judgment (Probation) (8 pages)
	CSVC	KRAMES	Community Service Contract, signed by Defendant
5/8/2014		CMOORE	Warrant Recall Notice Sent
5/9/2014	WARN	CMOORE	Warrant Returned, No Service Failure to Comply with Release Conditions Defendant: Dill, Jodie Marie
5/19/2014	NLRV	HENDRICKSO	Notice of Loss of Right to Vote
5/27/2014	MOTN	HUMRICH	Motion for Appointment of State Appellate Public Defender
	CHJG	HUMRICH	Change Assigned Judge
6/3/2014	APSC	HUMRICH	Appealed To The Supreme Court
	NOTA	HUMRICH	NOTICE OF APPEAL
6/5/2014	ORDR	HUMRICH	Order for Appointment of State Appellate Public Defender

State of Idaho vs. Jodie Marie Dill

Date	Code	User		Judge
6/5/2014	CINF	HUMRICH	Clerk Information - Certified copy of NOTA, Felony Judgment filed 5/6/2014, Order SAPD and ROAs mailed to ISC	Barbara A. Buchanan
6/9/2014	CCOA	HUMRICH	Clerk's Certificate Of Appeal - Original to ISC and copy to file	Idaho Supreme Court
6/13/2014	ORDR	HUMRICH	Order Re: Amended Notice of Appeal	Idaho Supreme Court
	MISC	HUMRICH	ISC Docket #42202-2014	Idaho Supreme Court
6/23/2014	LETT	HUMRICH	Letter from State Appellate Public Defender dated 6/23/2014	Idaho Supreme Court
	NOTA	HUMRICH	AMENDED NOTICE OF APPEAL - certified copy forwarded to ISC	Idaho Supreme Court
6/26/2014	NOTC	HUMRICH	Notice of Withdrawal After Entry of Judgment Pursuant to ICR 44.1 - B.C. Public Defender	Idaho Supreme Court
7/2/2014	MISC	HUMRICH	ISC Docket #42202 -2014, clerk's records due 9/4/2014	Idaho Supreme Court
7/28/2014	NLT	HUMRICH	Notice Of Lodging Transcript On Appeal by Valerie E. Larson - Entry of Plea on 12/17/2013 and Sentencing on 5/6/2014	Idaho Supreme Court
	TRAN	HUMRICH	Transcript Filed by Valerie Larson - Entry of Plea on 12/17/2013 and Sentencing on 5/6/2014	Idaho Supreme Court



## NOTIFICATION OF RIGHTS

STATE OF IDAHO  
County of Bonner  
FILED

AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M.  
CLERK OF THE DISTRICT COURT

Deputy

STATE OF IDAHO vs. Jodie Edwards / Dill, Case No. CR-13-3924

Shashone C-CR-07-1314

You have the right to remain silent. If you make any statements about your case, you will give up your right to remain silent and your statements could be used against you.

You have the right to hire an attorney, and the right to a reasonable extension of time so that you can obtain an attorney, or you may represent yourself without an attorney.

If you are indigent, there are some misdemeanors serious enough to allow you to make sworn application for an attorney at county expense. If an attorney is appointed for you, you could be required to repay the county at a later time.

You have the right to a speedy trial by jury, or you may request a trial by a judge.

You have the right to be present at your trial and to testify and cross-examine witnesses against you, but you cannot be forced to testify against your will.

You have the right to present a defense to the charges against you, and the right to subpoena witnesses to court to testify in your defense at no expense to you.

You are presumed innocent and the prosecution bears the burden of proving your guilt beyond a reasonable doubt.

You have the right to appeal within forty-two days from the time your case is concluded. You must file a written notice with the Clerk of the Court indicating that you wish to appeal.

You are required to notify the court of any change of address so long as your case is pending.

### **IF YOU ARE CHARGED WITH A MISDEMEANOR:**

The general penalty for a misdemeanor is a maximum fine of \$1,000 plus court costs and a maximum jail sentence of 6 months. As with any general rule there are exceptions. The judge will notify you if there are different maximum penalties in your case.

After your charge is read, you will be asked to enter a plea of guilty, enter a plea of not guilty, or request a continuance before entering a plea.

If you enter a plea of not guilty, your case will be set for trial by the Calendar Clerk, and you or your attorney will be given notice of your trial date by mail.

If you enter a plea of guilty, you will give up the rights outlined above except the right to an attorney and the right to appeal. A plea of guilty has the same effect as a finding of guilt at trial.

0019

If you enter a plea of guilty, you may be sentenced at that time or sentencing may be scheduled for a future date. At sentencing you will be given a chance to make any explanation you think the judge should hear before sentence is imposed.

If you are not a U.S. citizen, pleading guilty could result in your deportation or inability to become a legal U.S. citizen.

If you are sentenced to pay a fine, you should be prepared to pay your fine at that time. If you are unable to pay, then you must ask the court for additional time to make payment. If you fail to pay fines and costs assessed by the Court, you could be found in contempt of Court and sentenced to additional jail or fines for contempt.

**IF YOU ARE CHARGED WITH A FELONY:**

You have the additional right to a timely preliminary hearing in front of a Magistrate Judge.

If you remain in custody, the preliminary hearing must be held within fourteen (14) days, or within twenty-one (21) days if you are not in custody.

At the preliminary hearing the State bears the burden of proving by a preponderance of the evidence, meaning that it is more likely than not, 1) that the charged offense was committed within the jurisdiction, and 2) that you are the person who committed the offense.

During the preliminary hearing you have the right to be represented by counsel and to cross-examine the State's witnesses and call witnesses to testify in your defense.

If the State carries its burden of proof at the preliminary hearing, or if you decide to waive your right to a preliminary hearing, the Magistrate Judge will enter an order setting a date for you to appear before a District Court Judge for arraignment, at which time you will be asked by the District Judge to enter a plea of guilty or not guilty to the felony charge(s).

If the Magistrate Judge determines that the State has not carried its burden of proof at the preliminary hearing, an order dismissing the charge "without prejudice" will be entered, which means that the State has the option to refile the charge against you.

**READ AND UNDERSTOOD**

DATED: \_\_\_\_\_

7-5-13



Defendant's Signature

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

STATE OF IDAHO

Plaintiff,

v.

DILL, JODIE M.,

Defendant.

Case Number(s): CR- 19-3324-5 P 2:16

**ORDER FINDING  
PROBABLE CAUSE**

BCSO Incident #: 13-011950

MARIE SCOTT  
CLERK DISTRICT COURT  
DEPUTY

The above-named Defendant having been charged with, or arrested for, the offense(s) of: Possession of methamphetamine Idaho Code 37-2732C1 and possession of marijuana Idaho Code 37-2732C3, and the court having examined the affidavit of Deputy Alex Hughes, and any attached documentation, the Court finds a substantial and factual basis for believing that the offense(s) has/have been committed and that the Defendant committed it/them.

**WHEREFORE, IT IS HEREBY ORDERED that:**

- ☐ a Criminal Summons may be issued for the above-named Defendant, giving the Defendant a date certain to appear before the Court.
- ☐ a Warrant may be issued for the arrest of the above-named Defendant, or, if s/he has been arrested without warrant, that the Defendant may be detained and that s/he may be required to post bail prior to his release.

DATED this 5 day of

July, 2013

Debra A. Steiner  
MAGISTRATE COURT JUDGE

**CLERK'S CERTIFICATE OF SERVICE**

I hereby certify that on the 8 day of July, 2013, a true and correct copy of this Order Finding Probable Cause was caused to be served as follows:

Bonner County Sheriff

- ☐ Fax: (208) 265-4378 [via fax only if PC was not found]  
☐ I.O.M.

Bonner County Prosecutor

- ☐ Fax: (208) 263-6726 [via fax only if PC was not found]  
☒ I.O.M.

[Signature]  
CLERK / DEPUTY CLERK

**BONNER COUNTY PROSECUTING ATTORNEY**

127 S. First Avenue  
Sandpoint, ID 83864  
(208) 263-6714  
(208) 263-6726 (facsimile)

Assigned Prosecutor:  
**SHANE GREENBANK**

2013 JUL -5 P 2:16

MAILED  
CLERK DISTRICT COURT

DEPUTY

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

**STATE OF IDAHO**

Plaintiff,

v.

**JODIE MARIE DILL  
aka JODIE MARIE EDWARDS,**

DOB: [REDACTED]

SSN: [REDACTED]

Defendant.

Case No: **CR-2013-3324**

**CRIMINAL COMPLAINT**

AGENCY: BCSO #13-011950

**COMES NOW**, Shane Greenbank, Chief Deputy Prosecuting Attorney for Bonner County, State of Idaho, and being first duly sworn under oath, complains that the above named defendant did commit the crime of: **POSSESSION OF A CONTROLLED SUBSTANCE, METHAMPHETAMINE**, a Felony offense pursuant to Idaho Code §37-2732(c)(1), committed as follows:

The Defendant, **JODIE MARIE DILL, aka JODIE MARIE EDWARDS**, on or about the 4<sup>th</sup> day of July, 2013, in the County of Bonner, State of Idaho, did unlawfully possess a controlled substance, to-wit: Methamphetamine, a Schedule II controlled substance.

ORIGINAL

All of which is contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Idaho.

**WHEREFORE**, Complainant prays that the Defendant be dealt with according to law.

**DATED** this 5<sup>th</sup> day of July, 2013.

---

**SHANE GREENBANK, COMPLAINANT  
CHIEF DEPUTY PROSECUTOR**

**SUBSCRIBED AND SWORN** to before me this 5<sup>th</sup> day of July, 2013.

---

**MAGISTRATE OF THE DISTRICT COURT**

**STA OF IDAHO, COUNTY OF BONN VS**

NAME: **JODI M. EDWARDS**

CASE #: **CR-13-3524, 3324,**  
**ShosHone Co, CR-07-1314**

**NOTIFICATION OF RIGHTS:**

CASE CALLED **152** to **157** DATE: **7-5-13** TIME: **1:15** P M.

CD: **CT RM #4** JUDGE: **HEISE** CLERK: **FORELL**

**APPEARANCES - 1<sup>ST</sup> ARRN & Shoshone Co Warrant**

☒ Defendant **IN CUSTODY VIA VIDEO** ☐ Other  
☐ Def Attorney ☒ Pros. Attorney **S GREENBANK**

**FAILURE TO APPEAR:**

☐ Defendant having failed to appear, and good cause not shown for such absence

**IT IS ORDERED:**

☐ Bench Warrant Issued \$ Bond ☐ Bond Forfeited  
☐ Referred to Prosecuting Attorney for probable cause to issue arrest warrant

**PROCEEDINGS AND ADVISEMENT OF RIGHTS:**

**CHARGE AMENDED:**

☒ Defendant is informed of the charges against him/her and all legal rights, including the right to be represented by counsel.  
☒ Defendant advised of maximum penalties and penalties for subsequent violations.  
☐ Defendant waives right to counsel and understands ☐ Hire own attorney.  
☒ Defendant sworn.  
☒ Public Defender appointed: **BCPD**  
☐ Court denies court appointed counsel. ☐ Defendant waives right to Public Defender  
☐ Matter continued to: at

**PRELIMINARY HEARING:**

☐ Statutory time waived ☐ Preliminary hearing waived  
☒ Set preliminary hearing, CR-13-3324 if still in custody, then ... ☐ 14 days if bond ... ☐ 21 days

☒ JUDGE ENTERS PLEA OF NOT GUILTY, CR-13-3517

☐ Set for Pre-Trial Conference and Jury Trial ☐ Set for Court Trial

**ENTRY OF GUILTY PLEA:**

☐ Defendant enters plea freely and voluntarily with knowledge of consequences.  
☐ Defendant is advised of rights waived on plea of guilty and understands  
☐ Defendant denies that any threats or promises have been made.  
☐ Pleas of guilty accepted by the court  
☐ Set for SENTENCING on: at Judge:  
☐ Defendant ordered to obtain alcohol evaluation prior to sentencing date

**BAIL:**

☐ Released on own recognizance ☐ bail set at: \$ **20,000.00** Case/cnt: **CR-13-3324**  
☐ Remanded to the custody of the Sheriff \$ **300.00** Case/cnt: **CR-13-3524**  
☐ Released on bond previously posted \$ **300.00** Case/cnt: **CR-07-1314**  
☐ Warrant of Attachment \$ Days jail in lieu of fine/costs

INDEX	SPEAKER	PHASE OF CASE
	J	S GREENBANK SWORN AS TO AFFIDAVIT
	SG	\$20,000.00
	J	SHOSHONE COUNTY ...

**0024**

CLERK OF THE DISTRICT COURT

BY \_\_\_\_\_ DEPUTY

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

APPLICATION FOR: Jodie Edwards/Dill  
DEFENDANT / JUVENILE / CHILD

BY Jodi M. Edwards  
DEFENDANT / PARENT / GUARDIAN

DATE OF BIRTH: [REDACTED]

SOC. SECURITY: [REDACTED]

CLERK DISTRICT COURT

CR-13-3324

CASE NO. CR-13-3524

## FINANCIAL STATEMENT AND ORDER

**NOTE:** If this application is being made on behalf of a juvenile, please answer the following questions as they apply to his/her parents or legal guardian.

I, the above named defendant, being first duly sworn on oath, depose and say in support of my request for court appointed counsel:

My current address is: P.O. Box 958 Newport WA 99156  
(Street or P.O. Box) City State Zip Code)

My current telephone number or message phone is: 509-671-0908

That I have been charged with the crime of \_\_\_\_\_  
in the above entitled court and request the court to appoint counsel at county expense to represent me; **that I agree, if ordered by the Court, to refund to said County such sum as the court may fix for the cost of my defense, upon such terms as the court may order.**

BELOW IS A TRUE AND CORRECT STATEMENT OF MY FINANCIAL CONDITION:

## 1. EMPLOYMENT:

A. Employed: X yes \_\_\_\_\_ no B. Spouse Employed: \_\_\_\_\_ yes X no  
C. If not employed, or self-employed, last date of employment 7-4-2013  
D. My employer is/was: Self  
Address: P.O. Box 958 Newport WA 99156

## 2. INCOME MONTHLY (Include income of spouse, if married):

Wages before deductions \$ VARIES 8-10 hr. Other income: (Specify: Child Support, S.S., V.S., A.D.C.,  
Less Deductions \$ \_\_\_\_\_ Food Stamps, etc.)  
Net Monthly Wages \$ VARIES 1100-600 month LA \$ 0

## 3. EXPENSES MONTHLY:

Rent or Mortgage Payment \$ 400 until 7-4-13 Child Care \$ 0  
Utilities \$ 50 Recreation \$ 40-50  
Clothing \$ 20 Medical \$ 0

3. EXPENSES MONTHLY (Continued).

Transportation \$ 150<sup>00</sup>  
 School \$ 0  
 Food \$ 100<sup>00</sup>

Insurance \$ 45<sup>00</sup>  
 Other: (Specify) \$ \_\_\_\_\_  
 \$ \_\_\_\_\_

DEBTS: Creditor \_\_\_\_\_ Total \$ \_\_\_\_\_ per mo.  
 Creditor \_\_\_\_\_ Total \$ \_\_\_\_\_ per mo.

4. ASSETS:

A. I (we) have cash on hand or in banks \$ 700<sup>00</sup> (officer's stock)  
 B. I (we) own personal property valued at \$ 0  
 C. I (we) own vehicle(s) valued at \$ 0  
 D. I (we) own real property valued at \$ 0  
 E. I (we) own stocks, bonds, securities, or interest therein \$ 0

5. THE FOLLOWING ALSO AFFECTS MY FINANCIAL CONDITION (Specify): Borrowing to vehicle to go to work 150<sup>00</sup> per month

6. DEPENDENTS: ☒ Self \_\_\_\_\_ Spouse \_\_\_\_\_ Children \_\_\_\_\_ Other (specify) \_\_\_\_\_  
 (number)

Jos M Edwards  
 APPLICANT

Subscribed and sworn to before me this 5 day of July, 20 13.  
Debra A. Hux

The above named ☒ defendant \_\_\_\_\_ parent \_\_\_\_\_ guardian appeared before the court on the aforesaid charge and requested the aid of counsel. The court having considered the foregoing, and having personally examined the applicant; ☒ ORDERS \_\_\_\_\_ DENIES the appointment of the service of counsel in all matters pertaining to this action at county expense.

The \_\_\_\_\_ defendant \_\_\_\_\_ parent \_\_\_\_\_ guardian is required to reimburse the county for the services of counsel, at a rate of \$ \_\_\_\_\_ per month, commencing \_\_\_\_\_, 20 \_\_\_\_\_ and continuing until notified by the court.

DATED this 5 day of July, 20 13.

Debra A. Hux  
 JUDGE

Custody Status: ☒ In \_\_\_\_\_ Out \_\_\_\_\_

Bond \$ 20,600.00

Copies To:

☒ Prosecuting Attorney BC  
☒ Public Defender  
☐ Public Defender notified by phone

7-5-13  
 Date

[Signature]  
 Deputy Clerk



IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

STATE OF IDAHO

Plaintiff,

v.

DILL, JODIE M.,

DOB: [REDACTED]

SSN: [REDACTED]

Defendant.

Court Case Number(s): CR- 13-3324

PROBABLE CAUSE AFFIDAVIT

BCSO Incident #: 13-011950

I, Deputy Alex Hughes, the undersigned, being first duly sworn on oath, depose and say that:

- 1) I am a duly appointed, qualified, and acting peace officer in the State of Idaho and am employed by the Bonner County Sheriff;
- 2) I am the same person whose name is subscribed to the attached Citation(s), if any.
- 3) The Defendant was identified by:  

<input type="checkbox"/> Military ID	<input type="checkbox"/> State ID Card	<input type="checkbox"/> Student ID Card	<input type="checkbox"/> Credit Card
<input checked="" type="checkbox"/> Driver's License	<input checked="" type="checkbox"/> Paperwork found	<input checked="" type="checkbox"/> Verbal ID by defendant	
<input type="checkbox"/> Identity confirmed through in-house records.	<input type="checkbox"/> Identified by witness: _____.		
- 4) The Defendant is currently:  

<input checked="" type="checkbox"/> not in custody.
<input type="checkbox"/> in custody.

- 5) I believe that there is probable cause to believe the defendant committed the crime(s) of: **Possession of methamphetamine Idaho Code 37-2732C1 and possession of marijuana Idaho Code 37-2732C3**, because of the following facts:

*[You must clearly articulate: 1) the facts giving rise to the stop/contact/investigation; 2) the facts regarding EVERY element of the offense(s) for which you believe PC exists; 3) why it is believed that the Defendant committed the offense(s); and 4) state the source of all information provided – stating what you observed and what you learned from someone else, and identifying such persons below].*

**On 7-4-2013 at approximately 2100 hours I observed a truck turn northbound on Highway 41 from Marion Street in Bonner County, Idaho. I observed this truck was approximately 20 inches off the ground and did not have any mud flaps a violation of Idaho Code 49-949.**

**I conducted a traffic stop on the truck and it was at this time I noticed the truck was bearing Idaho license plate number 7BG1684 on a white 1992 Chevrolet truck. I contacted the driver and explained the reason for the stop. The driver was identified as Jodie Dill with a Washington drivers license.**

**I returned to my patrol car and conducted a drivers check on Dill. I observed Dill was returning with a warrant. I also observed the warrant showed a last name of Edwards. I confirmed Dill's social security number and asked her if her last name use to be Edwards, she said yes. Dispatch advised me the warrant was confirmed and extraditable. Dill was placed under arrest for the warrant.**

**Papa's Towing was called to tow the truck. An inventory search was conducted and approximately 24.5 grams of methamphetamine was located inside of the truck in various places including inside of a purse type bag with Dill's temporary drivers license**

and an old driver's license with the last name Edwards. A methamphetamine pipe was also located inside the truck. Also inside the truck a small amount of marijuana was found. 735.00 dollars was located and seized. A check made out to Dill for 40.00 dollars was also seized along with her cell phone, as it had text messages asking her if she had stuff.

I transported Dill to the Bonner County Jail and turned her over to the Detention Deputies. While logging the evidence I tested a small amount of the methamphetamine and it tested presumptively positive.

One of the bags of methamphetamine will be sent to the Idaho State lab for testing along with the marijuana. The rest of the meth and paraphernalia was packaged as evidence and will be held at the Sheriff's office.

Dill was arrested on her warrant, possession of marijuana and possession of methamphetamine.

*[Briefly explain specialized training, experience, or expertise utilized relating to the offenses listed. For example, if a drug offense has been committed, briefly explain your training, experience and qualifications to identify the substance and/or paraphernalia at issue],*

*[If the offense involves testing or comparison analysis, briefly explain the test and results. For example, if a drug offense has been committed explain 1) what tests were performed and 2) what the results were].*

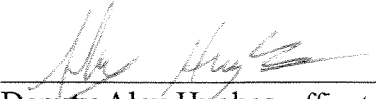
A portion of the meth was tested using a NIK test and it tested positive.

- 6) The events described above, which give rise to the criminal offenses believed to have been committed, occurred on or about the date(s) of 7-4-2013, in:
- ☐ The City of \_\_\_\_\_, County of Bonner, State of Idaho;  
☒ Bonner County, State of Idaho.
- 7) Based on the investigation detailed above *[complete all that apply]*:
1. ☒ A Uniform Citation, number 113992, was personally served on the Defendant for the Misdemeanor offense(s) detailed in paragraph 5 above.
  2. ☐ A Uniform Citation, number \_\_\_\_\_, which is attached hereto, for the Misdemeanor offense(s) detailed in paragraph 5 above, has not yet been served on the defendant;
    - a. ☐ and a Complaint/Summons is requested.
    - b. ☐ and an Arrest Warrant is requested because: \_\_\_\_\_.
  3. ☒ A request for the filing of a Felony Criminal Complaint has been made upon the Bonner County Prosecutor's Office for the Felony offense(s) detailed in paragraph 5.
- 8) The following documents are attached hereto and are incorporated by reference *[No police reports]*:
- ☐ Copy of Protection Order   ☐ Copy of NCO   ☐ Laboratory Report   ☐ \_\_\_\_\_

STATE OF IDAHO                     )  
                                                  ) ss.  
COUNTY OF BONNER             )

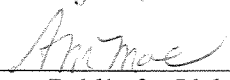
By my signature, and in the presence of a person authorized to administer Oaths in the State of Idaho, I hereby solemnly swear that the information contained in this document and attached reports and documents that may be included herein truth, the whole truth, and nothing but the truth, to the best of my information and belief.

**DATED** this   5  , day of July, 2013.

  
Deputy Alex Hughes, affiant

**SUBSCRIBED AND SWORN** to before me this 5<sup>th</sup> day of July, 2013.



  
Notary Public for Idaho  
Bonner County, Idaho.  
Residing in  
2-7-17.  
Commission Expires

**EJUNNER COUNTY SHER. F  
TOWED VEHICLE INVENTORY**

Time 2105 Date 7-4-13

Case Number 13-11950

Reason for Towing: Driver Arrest ☒ Abandoned ☐ Traffic Hazard ☐ Accident ☐ Private Property ☐

Other (Specify) \_\_\_\_\_

Location:  Hwy 41 @ Marion St

Vehicle: Color Whi Year 92 Make Chev Body TK License 7B61684

V.I.N. 1GCEC14XNE170484

Vehicle Locked? ☐ Yes ☒ No

Registered Owner: Smith, James R. JR. Address: 535 DUBILS CRK. RD. P. R.

Driver: Dill, Jodie Address: 640 HOPE RD. NEWPORT, WA.

Glove Box: Locked? ☐ Yes ☒ No

Contacts: Misc. Papers.

Odometer Reading 207033

Interior Contents: clothing, costume jewelry

	Yes	No
Radio	<input type="checkbox"/>	<input type="checkbox"/>
Tape Deck	<input type="checkbox"/>	<input type="checkbox"/>
C.B. Radio	<input type="checkbox"/>	<input type="checkbox"/>

Trunk or Pickup Bed Contents: microwave, vacuum, electric chainsaw, propane bottle, (gas) tug, gardening tools

	Yes	No
Key used to open	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Spare	<input type="checkbox"/>	<input type="checkbox"/>
Jack	<input type="checkbox"/>	<input type="checkbox"/>
Lug Wrench	<input type="checkbox"/>	<input type="checkbox"/>

Body Damage:

Value of Vehicle: Less than \$750 ☒ Over \$750 ☐

Vehicle and contents stored at: 9206 SAUNDERS RD. BLANCHARD.

Vehicle towed by: Papa's Towing / Daily Storage Fee 35.00

I hereby certify the items listed above were released to my custody by: A. Hughes 356

Officer

OK to release vehicle: Yes ☒ No ☐

Ken Hughes  
X Signature of person receiving the vehicle and contents

Copy Disposition:

White - Case File

Yellow - Records Section

Pink - Registered Owner / Lien Holder

Goldenrod - Wrecker Operator

List all items retained by officer:

Impounding Officer: A. Hughes.

X Signature of person Towing Company is releasing vehicle to

The described vehicle has been towed and is subject to sale in compliance with Section 49-1811 Idaho Code.

**GENERAL SURETY APPEARANCE BOND**

POWER No. 5271655-77  
(POWER OF ATTORNEY WITH THIS NUMBER MUST BE ATTACHED)

ARREST/CASE No. CR 13-3324

STATE OF Idaho

vs.

Jodi Edwards

STATE OF IDAHO  
COUNTY OF BONNER  
SEND ALL COURT NOTICES TO  
AGENT'S ADDRESS  
2013 JUL 8 PM 12:04  
NATIONAL BAIL BONDS

Mailing Address  
CLERK DISTRICT COURT  
9323 North Government Way #275  
Hayden, Idaho 83835-8256  
DEPUTY

In The

Bonner County District Court

Bonner County

KNOW ALL MEN BY THESE PRESENTS: That we, the above captioned Defendant, as Principal, and BANKERS INSURANCE COMPANY, a Florida corporation, as Surety, are held and firmly bound unto the State of Idaho, and its successors, to the penal sum of \$ 20,000.00 Dollars, for the payment whereof well and truly to be made we bind ourselves, our heirs, representatives, successors, and assigns, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the said principle shall appear on \_\_\_\_\_, \_\_\_\_\_ at the next regular or special term of the above captioned court only and shall submit to the said court to answer a charge of

PCS Meth

and shall submit to orders and process of said court and not depart same without leave, then this obligation to be void, else to remain in full force and virtue.

SIGNED AND SEALED this 8 day of July, A.D. 2013

Taken before me and approved by me:

Jodi Edwards  
PRINCIPAL

\_\_\_\_\_, Clerk/Sheriff

By: \_\_\_\_\_

James B. [Signature]  
BANKERS INSURANCE COMPANY  
(ATTORNEY-IN-FACT) (Surety) (L.S.)

**STATEMENT OF THE BONDSMAN**

I, THE UNDERSIGNED, AM A DULY LICENSED BAIL BONDSMAN and have registered for the current year with the office of the Clerk of Court of the aforementioned county, and have filed a certified copy of my appointment by Power of Attorney for the Surety with the office of the Clerk of Court of the aforementioned county.

That the Principal named in the foregoing bond, of (Address) Jodi Edwards, 330 Mountain

Tim Road Newport WA, 99156, has

(given or promised to give) the sum of \_\_\_\_\_ (\$ \_\_\_\_\_) Dollars as consideration for the foregoing bond, filed with the Clerk of the above captioned Court, located in said County, together with the (promise or receipt) of security belonging to:

as follows: (detail description and source of collateral security) (if none, so state) \_\_\_\_\_

That a duly signed receipt has been given to the said principal for the consideration given and/or that the said indemnitor has (also been) given a receipt for the security described above.

Agent's Signature James B. [Signature]

Agency National Bail Bonds

BAIL ONLY  
POWER AMOUNT  
\$27000.00

BANKERS INSURANCE COMPANY  
P.O. Box 33015 • St. Petersburg, Florida 33733 • 800-627-0000  
POWER OF ATTORNEY

527165577 - 0

KNOW ALL MEN BY THESE PRESENTS: that Bankers Insurance Company, a corporation duly organized and existing under the laws of the State of Florida, has made pursuant to Article IV, Section 11 of the By-Laws, which was adopted by the Directors of the said company, and is now in effect, does constitute and appoint, and by these presents does make, constitute and appoint below named agent its true and lawful Attorney-In-Fact for it and in its name, place and stead, to execute, seal and deliver for and on its behalf and as its act and deed, as surety, a bail bond only. Authority of such Attorney-In-Fact is limited to appearance bonds and **cannot be construed to guarantee defendant's future lawful conduct, adherence to travel limitation, fines, restitution, payments or penalties, or any other condition imposed by a court not specifically related to court appearance.**

This Power of Attorney is for use with Bail Bonds only. Not valid if used in connection with Federal Immigration Bonds. This power void if altered or erased, void if used with other powers of this company or in combination with powers from any other surety company, void if used to furnish bail in excess of the stated face amount of this power, and can only be used once.

THE OBLIGATION OF THE COMPANY SHALL NOT EXCEED THE SUM OF THIS STATED FACE AMOUNT, AND PROVIDED THIS Power of Attorney is filed with the bond and retained as a part of the court records. The said Attorney-In-Fact is hereby authorized to insert in this Power of Attorney the name of the person on whose behalf this bond was given.

IN WITNESS WHEREOF, BANKERS INSURANCE COMPANY has caused these presents to be signed by its duly authorized officer, proper for the purpose and its corporate seal to be hereunto affixed this 8 day of July, 2013.

Bond Amount \$ 29,000 Appearance Date \_\_\_\_\_

Defendant Jodi Edwards

S.S.# \_\_\_\_\_ D.O.B. 1-15-62

Case # CR13-3324

Court Banner County District

City Sandpoint State ID

Offense PCS Meth

If Rewrite, Original # \_\_\_\_\_

Executing Agent [Signature]

BIC992004-270412

BANKERS INSURANCE COMPANY

[Signature]

WILBUR L. MARTIN IV, President



VOID IF NOT  
USED BY  
DECEMBER 31, 2013

IT IS UNLAWFUL TO PRINT THIS  
FORM WITHOUT WRITTEN  
CONSENT OF HOME OFFICE

0032

BONNER COUNTY PUBLIC DEFENDER  
**JANET K. WHITNEY (ISBN: 6624)**  
406 South Ella Street  
Sandpoint, Idaho 83864  
Phone: (208) 255-7889; Fax: (208) 255-7559

CLERK OF DISTRICT COURT  
STATE OF IDAHO  
COUNTY OF BONNER  
FIRST JUDICIAL DIST.

2013 JUL -9 P 2:25

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER  
MAGISTRATE DIVISION**

<b>STATE OF IDAHO,</b>	)	
	)	<b>CASE NUMBER CR-13-0003324</b>
Plaintiff,	)	
	)	<b>NOTICE OF APPEARANCE,</b>
V.	)	<b>REQUEST FOR TIMELY</b>
	)	<b>PRELIMINARY HEARING,</b>
<b>JODIE M. EDWARDS,</b>	)	<b>MOTION FOR BOND REDUCTION</b>
	)	<b>&amp; NOTICE OF HEARING</b>
Defendant.	)	

COMES NOW the Office of the Bonner County Public Defender, and pursuant to court appointment hereby appears for and on behalf of the above named defendant in the above entitled matter, and requests that a preliminary hearing be scheduled in accordance with the time limits set forth in Idaho Criminal Rule 5.1.

Counsel hereby moves for reduction of the bond set in this matter on the grounds that it is excessive, and further, **notice is hereby given** that counsel will present argument in support of the motion to reduce bond at the time of the preliminary hearing scheduled in this matter if the defendant is in custody.

**Notice is given** that the Defendant herewith asserts all rights accorded him or her under the Fifth, Sixth, and Fourteenth Amendments to the Constitution of the United States and under Article I, § 13 of the Constitution of the State of Idaho and all prophylactic measures imposed

upon the State pursuant to said constitutional provisions; including, but not necessarily limited to, the right to remain silent and the right to counsel.

**Notice is further given** that the Defendant herewith demands and asserts all State and federal statutory and constitutional rights to speedy trial of this matter.

DATED this 9 day of July, 2013.

OFFICE OF THE BONNER  
COUNTY PUBLIC DEFENDER

BY: Janet Whitney  
JANET K. WHITNEY  
CHIEF DEPUTY PUBLIC DEFENDER

### **CERTIFICATE OF DELIVERY**

I hereby certify that a true and correct copy of the foregoing was personally served by placing a copy of the same in the interoffice mailbox or by facsimile on the 9 day of July, 2013, addressed to:

Shane Greenbank  
Chief Deputy Prosecuting Attorney

Lindsay Ducken



BONNER COUNTY PUBLIC DEFENDER  
**JANET K. WHITNEY (ISBN: 6624)**  
406 South Ella Street  
Sandpoint, Idaho 83864  
Phone: (208) 255-7889; Fax: (208) 255-7559

STATE OF IDAHO  
COUNTY OF BONNER  
FIRST JUDICIAL DIST.

2013 JUL -9 P 2:25

ASSISTANT CLERK  
DISTRICT COURT  
*[Signature]*  
DEPUTY

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER  
MAGISTRATE DIVISION**

**STATE OF IDAHO,**

Plaintiff,

V.

**JODIE M. EDWARDS,**

Defendant.

**CASE NUMBER CR-13-0003324**

**DEFENDANT'S REQUEST  
FOR DISCOVERY**

PLEASE TAKE NOTICE that the undersigned pursuant to Rule 16 of the Idaho Criminal Rules, the Fourth, Fifth, Sixth, Eighth and Fourteenth Amendments to the Constitution of the United States, and Article I, § 1, 2, 13 and 17 of the Constitution of the State of Idaho requests discovery and inspection of all materials discoverable by defendant per I.C.R. 16 b (1-8) and the aforementioned Constitutional provisions including but not limited to the following information, evidence and materials:

1. Any relevant or recorded statements made by the defendant and copies thereof, when in the possession, custody or control of the State, the existence of which is known or which is available to the prosecuting attorney by the exercise of due diligence, and also the substance of any relevant or oral statement made by the defendant whether before or after arrest to a peace officer, prosecuting attorney or his agent, and the recorded testimony of the defendant before a Grand Jury which relates to the offense charged.

2. Any written or recorded statements by a co-defendant, and the substance of any relevant oral statement made by a co-defendant whether before or after arrest in response to

**DEFENDANT'S REQUEST FOR DISCOVERY**

**Page 1**

0035

interrogation by any person known by the co-defendant to be a peace officer or agent of the prosecuting attorney, or which are otherwise relevant to the offense charged.

3. A copy of the defendant's prior record or criminal history report including all fifty states, if any, as is then or may become available to the prosecuting attorney.

4. Any and all driver's packets, books, papers, documents, photographs, tangible objects, and copies and portions thereof, which are in the possession or control of the prosecuting attorney and which are material to the preparation of the defense, or intended for use by the prosecutor as evidence at trial, or obtained from or belonging to the defendant.

5. The results of reports of physical or mental examinations and of scientific tests or experiments made in connections with this particular case, and copies thereof, within the possession or control of the prosecuting attorney, the existence of which is known or is available to the prosecuting attorney by the exercise of due diligence.

6. A written list of the names and addresses of all persons having knowledge of relevant facts who may be called by the prosecuting attorney as witnesses at trial, together with a NCIC report or criminal history report including all fifty states and a Spillman report of any such persons. Also the statements made by the prosecution witnesses, or prospective witnesses, made to the prosecuting attorney or his agents, or to any official involved in the investigatory process of the case.

7. All reports, memoranda, audio and/or video recordings in the possession of the prosecuting attorney or which may come into the possession of the prosecuting attorney or in the possession of law enforcement which were made by a police officer or any investigator or any agent of the State or person or entity acting in such capacity in connection with the investigation or the prosecution of this case.

8. The underlying facts or data that form the basis of any expert testimony pursuant to Idaho Rule of Evidence 705.

9. All documentation in support of or in connection with any search warrant issued in connection with this case, applications for search warrants (whether granted or denied), all affidavits, declarations and materials in support of such search warrants, all search warrants and all search warrant returns.

10. All material evidence within the scope of *Brady v. Maryland*, 373 U.S. 83 (1963), *United States v. Agurs*, 427 U.S. 97 (1976), *Kyles v. Whitley*, 514 U.S. 419, 115 S.Ct. 1555 (1995) and their progeny.

11. The existence and substance of any payments, promises of leniency, preferential treatment or other inducements or threats made to prospective witnesses, within the scope of *United States v. Giglio*, 405 U.S. 150 (1972) and *Napue v. Illinois*, 362 U.S. 264 (1959) and their progeny.

12. Disclose whether a defendant or any other person was identified by any lineup, showup, photo spread or similar identification proceeding relating to the offense charged, and produce any pictures utilized or resulting therefrom and the names, addresses and telephone numbers of all identifying witnesses.

13. The criminal record of any and all witnesses who will testify for the State at trial.

14. All rough notes or field notes of any agents or officers of the State involved in this case.

15. Inform the defendant of the government's intention to introduce proof during its case in chief of evidence pursuant to Rule 404(b) I.R.E.

16. State whether the defendant was an aggrieved person, as defined by 18 U.S.C. § 2510(11) of any electronic surveillance, and if so, set forth in detail the circumstances thereof.

17. Provide a copy of all documentation generated as a result of performed drug tests by the State for drug identification purposes, including types of testing performed in this case, testing procedures, reagents and/or solvents used in testing, comparative analyses performed, and number of experiments performed in each test.

18. Provide copies of each and every Subpoena issued by the State to any person or entity, regardless of whether served or not, in connection with this case.

The undersigned further requests permission to inspect and copy said information, evidence and materials within FOURTEEN (14) days of this request, unless this information is given to this office at a sooner time.

DATED this 9 day of July, 2013.

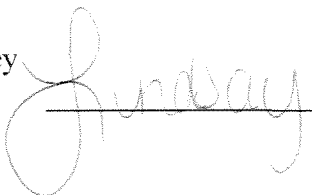
OFFICE OF THE BONNER  
COUNTY PUBLIC DEFENDER

BY:   
JANET K. WHITNEY  
CHIEF DEPUTY PUBLIC DEFENDER

### **CERTIFICATE OF DELIVERY**

I hereby certify that a true and correct copy of the foregoing was personally served by placing a copy of the same in the interoffice mailbox or by facsimile on the 9 day of July, 2013, addressed to:

Shane Greenbank  
Chief Deputy Prosecuting Attorney



CASE CR 13-3324  
CHARGE(S) PCS(F)

STATE OF IDAHO  
COUNTY OF BONNER  
FILED \_\_\_\_\_  
AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M  
Deputy Clerk, DISTRICT COURT

STATE OF IDAHO  
COUNTY OF BONNER  
DISTRICT COURT

AKA: Lill, Jodie M.

**NOTICE TO DEFENDANTS**

Regarding your release from custody on 07/08/13 at 5:45 AM by 54

TO: Edwards, Jodie Marie, Defendant 07/08/13

☐ You were released on your own recognizance by Judge \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ M by \_\_\_\_\_

☐ telephone / fax ☐ Bailiff slip ☐ personal contact

☒ You have posted bail / cash in the amount of \$ 20,000.00 to secure your release. National Bail Bonds

☐ You are bonding on DUI Second Offense or More, or Excessive DUI. Misdemeanor Criminal Rule 5(b) requires you to appear before a judge within 48 hours, excluding weekends and holidays. You are to appear at the Bonner County Administrative Building, 1500 Highway 2, Sandpoint, Idaho on \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ at 1:15 p.m.  
(JAIL - Set date for next business day and immediately fax a copy to Magistrate Court at 265-1446)

☒ You or your attorney will be notified by the Court when to appear.

**Two of the conditions of your release on bail/your own recognizance are:**

1. YOU ARE REQUIRED TO NOTIFY THE COURT AND YOUR ATTORNEY, if you have one, OF ANY CHANGE OF ADDRESS OR PHONE NUMBER THAT YOU HAVE WHILE YOUR CASE IS PENDING BEFORE THE COURT.
2. NOTIFY YOUR ATTORNEY OF THE COURT DATE ABOVE.

**FAILURE TO APPEAR ON ANY APPEARANCE DATE OR FAILURE TO NOTIFY THE COURT REGARDING CHANGE OF ADDRESS OR PHONE NUMBER MAY CAUSE A WARRANT TO ISSUE FOR YOUR ARREST.**

MY CURRENT MAILING ADDRESS IS: PO Box 958 Newport, WA 99156

MY CURRENT PHYSICAL ADDRESS (if different from above): \_\_\_\_\_

MY CURRENT PHONE NUMBER IS: \_\_\_\_\_ MESSAGE PHONE: (509) 447-4626

I have read, understand and received a copy of the above instructions. My signature is not an admission of guilt to any charge(s), but acknowledgment of the instructions contained above.

07/08/13  
DATE

Jodie M. Edwards  
SIGNATURE OF DEFENDANT

WITNESS

Don Altz  
DEPUTY SHERIFF

\*\*\*NOTE TO DEPUTY: Provide a copy to defendant. Return this original to the Court. If the Defendant refuses to sign this, witness the same and make a written indication that the defendant refused to do so.

☒ ADULT

☐ JUVENILE

STATE OF IDAHO  
County of Bonner  
FILED  
AT \_\_\_\_\_ O'Clock \_\_\_\_\_ M  
CLERK, DISTRICT COURT

Deputy \_\_\_\_\_

# JAIL INFORMATION FOR BONNER COUNTY SHERIFF'S OFFICE

JUDGE: Heize 2017 JUL -5 P 2:15 CASE NO. See below

(SUBJECT'S FIRST NAME) Jodie (SUBJECT'S MIDDLE NAME) (Dill) (SUBJECT'S LAST NAME) Edwards

☒ SUBJECT APPEARED IN COURT ON: 5 Jul. 13 AT 1315 P M

☒ SUBJECT IS TO: ☐ BE OR'D ☒ REMAIN IN CUSTODY  
☐ BE RELEASED BY JUDGES ORDER  
☐ BE RELEASED/TIME SERVED ☒ BOND \$ See below  
☐ BE RELEASED TO PARENT/PTA  
☐ MUST SIGN WAIVER OF EXTRADITION ☐ WORK RELEASE/SEARCH GRANTED  
☐ AUTHORIZATION TO TRANSFER TO REGION ONE JUVENILE DETENTION CENTER GRANTED, IF NECESSARY.

☐ SENTENCED TO: ☐ \_\_\_\_\_ DAYS IMPOSED ☐ \_\_\_\_\_ HOURS ON SHERIFF'S LABOR PROGRAM.  
☐ \_\_\_\_\_ DAYS SUSPENDED **SIGN UP WITHIN SEVEN (7) DAYS FROM TODAY**  
☐ \_\_\_\_\_ DAYS TO SERVE **AT SHERIFF'S OFFICE AND COMPLETE BY:**  
☐ \_\_\_\_\_ DAYS CREDIT \_\_\_\_\_, 20\_\_\_\_.

☐ SUBJECT TO REPORT TO THE BONNER COUNTY JAIL ON: \_\_\_\_\_ AT \_\_\_\_\_ M  
☐ BREATH OR U/A TEST ORDERED \_\_\_\_\_ X'S WEEKLY ON: \_\_\_\_\_ AT \_\_\_\_\_ M  
☐ SUBJECT PLACED IN THE CUSTODY OF THE DEPT. OF HEALTH & WELFARE NOT TO EXCEED \_\_\_\_\_ YEAR (S).

☐ SUBJECT SENTENCED TO SERVE NOT LESS THAN \_\_\_\_\_ AND NOT MORE THAN \_\_\_\_\_  
IN THE IDAHO STATE DEPT. OF CORRECTIONS.  
☐ THIS SENTENCE IS SUSPENDED. ☐ PLACED ON \_\_\_\_\_ YEARS PROBATION.  
☐ SUBJECT TO BE PLACED IN THE **RETAINED JURISDICTION PROGRAM** FOR NOT MORE THAN 180 DAYS.  
☐ AS CONDITION OF PROBATION, SUBJECT TO SERVE \_\_\_\_\_ DAYS LOCAL JAIL.

## CHARGES

(M) PCS - C13-3524 - Bond \$300

(F) PCS - C13-3324 - Bond \$20,000

C107-1314 - Shoshone Co. - Bond \$300

JUDGE'S ORDER: SUBJECT IS TO Remain in Custody  
IF bonds has to report to Shoshone  
Co. within 3 days.

\*P.D. Appt.

☐ JUDGE'S ORDER WILL FOLLOW

0040

☒ PUBLIC DEFENDER OFFICE APPOINTED

JUDGE'S SIGNATURE (SEE PAGE 2)

RAH IFF

**BONNER COUNTY PROSECUTING ATTORNEY**

127 S. First Avenue  
Sandpoint, ID 83864  
Phone: (208) 263-6714  
Fax: (208) 263-6726

**ORIGINAL**

2013 JUL -9 P 1:33

CLERK DISTRICT COURT

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

**STATE OF IDAHO**

Plaintiff,

v.

**JODIE MARIE DILL (EDWARDS),**

Defendant.

Case No: **CR-2013-3324**

**PLAINTIFF'S REQUEST  
FOR DISCOVERY**

**TO THE ABOVE NAMED DEFENDANT AND YOUR ATTORNEY OF RECORD:**

PLEASE TAKE NOTICE that the Bonner County Prosecuting Attorney, pursuant to I.C.R. 16, requests discovery, inspection and copies of the following information and materials:

1. Any and all books, papers documents, photographs, tangible objects, and copies or portions thereof, that are within the possession, custody or control of the Defendant and which the Defendant intends to introduce as evidence at the trial in this case.
2. Any and all results or reports of physical or mental examinations and of scientific tests or experiments made in connection with this case that are within the possession, custody or control of the Defendant and which the Defendant intends to introduce as evidence at the trial in this case, or which were prepared by a witness whom the Defendant intends to call at the trial when the results or reports relate to the testimony of that witness.
3. Names and addresses of all witnesses the Defendant intends to have testify at the trial in this case.

FURTHER, the Bonner County Prosecuting Attorney demands a written summary or report of any testimony that the defense intends to introduce pursuant to Rules 702, 703, or 705 of the Idaho Rules of Evidence at trial or hearing. Pursuant to Idaho Criminal Rule 16(c)(4), the report must describe the witness's qualifications, opinions, and the facts and data of those opinions.

FURTHER, the Bonner County Prosecuting Attorney demands, pursuant to Idaho Code §19-519 and Idaho Criminal Rule 12.1, a written notice of Defendant's intention to offer a defense of alibi and all information pertaining thereto discoverable under said rule.

FURTHER, the Bonner County Prosecuting Attorney requests that the Defendant provide the same materials within Fourteen (14) days of the date of service of this request at our office at 127 S. First Avenue, in the City of Sandpoint, Idaho, unless this information and material is given to the Bonner County Prosecutor at a sooner time.

DATED this 9th, day of July, 2013.



Shane Greenbank, ISB# 7845  
Chief Deputy Prosecutor

**CERTIFICATE OF SERVICE**

I hereby certify that on the 9th, day of July, 2013, I caused to be served true and correct copies of the foregoing document as follows:

Court File - Original

Janet Whitney- Copy  
Attorney for Defendant  
Copy served via: Courthouse Mail

  
Tara Walker, Legal Assistant



**BONNER COUNTY PROSECUTING ATTORNEY**

127 S. First Avenue  
Sandpoint, ID 83864  
Phone: (208) 263-6714  
Fax: (208) 263-6726

**ORIGINAL**

2013 JUL -9 P 1:33

CLERK OF DISTRICT COURT

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

**STATE OF IDAHO**

Plaintiff,

v.

**JODIE MARIE DILL (EDWARDS),**

Defendant.

Case No: **CR-2013-3324**

**PLAINTIFF'S RESPONSE TO  
REQUEST FOR DISCOVERY**

COMES NOW the Office of the Bonner County Prosecuting Attorney and submits the following response to request for discovery:

1) Pursuant to Idaho Criminal Rule 16(a), the defendant is hereby informed that the prosecution is unaware of any evidence that is exculpatory on its face relating to the offense charged other than that which may be included in the discovered reports. With regards to evidence that may be exculpatory, as used or interpreted, the prosecution requests that counsel submit, in writing, the defense to be asserted in this case so that the prosecution may review its file to determine if any facts, evidence or witnesses may be material to the preparation of the defense.

2) The State has complied with the discovery request by furnishing the following information, evidence and materials:

Page (s):	01	Book In Sheet
	02-04	Probable Cause Affidavit
	05	Order Finding Probable Cause
	06-09	Police Report – Dep. Hughes
	10	Tow Sheet

If you have not received any of the foregoing copies, please contact this office immediately.

Protected information, to-wit: Contact information, personal identifying information and private information, may have been redacted in the provided discovery per Idaho Criminal Rule 16(d). If the Attorney for the Defendant wishes to review this information, please contact the Prosecuting Attorney assigned to handle the case. Please note, in the event the prosecution has no objection to providing unredacted copies of protected information on colored paper, the information shall not be shared with the defendant or the defendant's family without the explicit written consent of the prosecutor assigned to handle the case.

3) Pursuant to Idaho Criminal Rule 16(b)(3), a copy of the defendant's prior criminal record as is currently known to the prosecutor has been provided. This serves as notice of the intention to use the defendant's criminal history should any fall under evidence rule 609 and any relevant prior bad acts as identified in the case report.

4) Pursuant to Idaho Criminal Rule 16(b)(6), a record of any prior Felony convictions known to the prosecutor of persons that the prosecutor intends to call as witnesses at hearing or trial will be provided when the case is set for trial.

5) Pursuant to Criminal Rule 16, the Prosecuting Attorney further informs the Defendant that you are permitted to inspect and copy or photograph books, paper, documents, photographs, tangible objects, building or places or copies or portions thereof that are mentioned or listed in the above-listed documents, that are in the possession, custody or control of the Prosecuting Attorney and that are material to the preparation of the defense, or intended for use by the Prosecutor as evidence at trial, or obtained from or belonging to the Defendant.

6) The Prosecuting Attorney further informs the Defendant that you are permitted to inspect and copy or photograph any results or reports of physical or mental examinations, and of scientific tests or experiments, made in connection with the particular case, or copies thereof, which are mentioned or listed in the above-listed documents and which are within the possession, custody or control of the Prosecuting Attorney by the exercise of due diligence.

7) The State reserves the right to call on any witnesses listed in the provided discovery or listed in the underlying police report(s). In addition, Plaintiff may call the following witnesses:

Law Enforcement Witness(es):

Dep. Alex Hughes - BCSO

Dep. Justin Penn - BCSO

Dep. Darren Osborn - BCSO

Any of the above listed officers, may be called upon to provide lay and/or expert testimony at hearing or trial. Said officer(s) is/are/were duly appointed, qualified, and acting peace officer in the State of Idaho during the investigation of this matter. As such, said officer(s) will provide testimony regarding his/her observations and qualifications relating to the officer's knowledge, skill, experience, training, and/or education, and will testify as to the resulting opinions which are disclosed in the police reports. Copies of the police report(s) containing the opinions and facts and data relied upon in forming the opinions, is being provided at this time as described above, or will be provided through Supplemental Discovery as the material is received by the prosecutor's office.

Expert Witness(es):

ISP Forensic Lab

This witness, who will provide expert testimony at hearing or trial, is a Forensic Scientist employed by the Idaho State Police Forensic Services. As this witness is the scientist who performed the tests, analysis, and/or comparisons relating to the laboratory report(s) in this matter, this witness will testify as to his/her qualifications, opinions, and the facts and data utilized in forming the opinions. Copies of the laboratory report(s), facts and data (i.e., case notes), and the Curriculum Vitae of this witness is being provided at this time as described above, or will be provided through Supplemental Discovery as the material is received by the prosecutor's office.

8) The State reserves the right to call on any witnesses listed in the provided discovery or listed in any underlying reports or documentation submitted by the defense.

9) **NOTICE OF INTENT TO USE RULE 404(b) EVIDENCE:** Pursuant to Rule 404(b), the State hereby provides notice of its intent to use any and all of the evidence / testimony described or referred to in the provided discovery.

10) NOTICE is hereby given that any Information to be filed in this matter may include a **Deadly Weapons Enhancement** and/or a **Habitual Offender Enhancement** if applicable.

11) The Prosecuting Attorney objects to any request beyond the scope of I.C.R. 16, and specifically objects to any request for copies of subpoenas issued by the state in this matter, for any witness's NCIC or Spillman report, and for any of the witness's misdemeanor criminal history under *Ramirez v. State*, 119 Idaho 1037 (Ct.App. 1991) and *Queen v. State*, 146 Idaho 502 (Ct.App. 2008).

12) Pursuant to I.C.R. 16(f) and I.R.E. 509, the Prosecuting Attorney hereby asserts its privilege(s) and objects to any request which qualifies as work product and/or which might have the tendency of compromising the identity of any informants.

13) The State reserves the right to supplement discovery as it becomes available. Should the State become aware of additional material or information subject to disclosure, and within the prosecutions possession or control, the State will notify the defendant pursuant to ICR 16.

DATED this 9th day of July, 2013.



Shane Greenbank, ISB# 7845  
Chief Deputy Prosecutor

**CERTIFICATE OF SERVICE**

I hereby certify that on the 9th, day of July, 2013, I caused to be served true and correct copies of the foregoing document as follows:

Court File - Original

Janet Whitney - Copy  
Attorney for Defendant

Copy served via: Courthouse Mail



Tara Walker, Legal Assistant

BONNER COUNTY PUBLIC DEFENDER  
**JANET K. WHITNEY (ISBN: 6624)**  
406 South Ella Street  
Sandpoint, Idaho 83864  
Phone: (208) 255-7889; Fax: (208) 255-7559

STATE OF IDAHO  
COUNTY OF BONNER  
FIRST JUDICIAL DIST.

2013 JUL 10 PM 2 26

CLERK DISTRICT COURT

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER  
MAGISTRATE DIVISION**

**STATE OF IDAHO,**

Plaintiff,

V.

**JODIE M. EDWARDS,**

Defendant.

**CASE NUMBER CR-13-0003324**

**DEFENDANT'S RESPONSE TO  
REQUEST FOR DISCOVERY**

COMES NOW the above-named Defendant, by and through the attorney of record, Janet K. Whitney, Chief Deputy Public Defender, and hereby submits the Defendant's Response to Request for Discovery.

1. There are no books, papers, documents, photographs, or copies or portions thereof which are in the possession of the Defendant at this time which will be submitted at the time of trial.

The Defendant may use any books, papers, documents, photographs or copies or portions thereof which have been disclosed by the State in discovery materials.

2. There are no results or reports of physical or mental examinations or scientific tests which are in the possession of the Defendant at this time, which will be submitted at the time of trial.

The Defendant may use the results or reports of physical or mental examinations or scientific tests which have been disclosed by the State in discovery materials.

**DEFENDANT'S RESPONSE TO  
REQUEST FOR DISCOVERY**

Page 1

0047

3. The following are the names and addresses of witnesses who may be called at the time of trial on behalf of the Defendant:

The Defendant herein, in addition to people, if any, that have been disclosed as potential witnesses by the State, and any other persons who were named by the State within other discovery materials.

4. Defendant reserves the right to supplement this response to request for discovery as additional information becomes available.

DATED this 10 day of July, 2013.

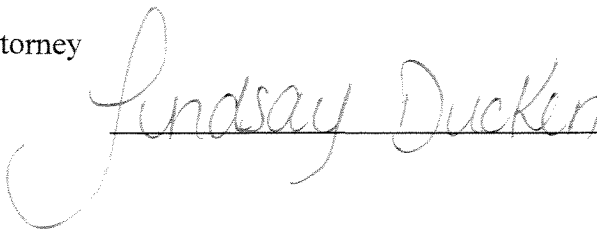
OFFICE OF THE BONNER  
COUNTY PUBLIC DEFENDER

BY:   
JANET K. WHITNEY  
CHIEF DEPUTY PUBLIC DEFENDER

### **CERTIFICATE OF DELIVERY**

I hereby certify that a true and correct copy of the foregoing was personally served by placing a copy of the same in the interoffice mailbox or as otherwise indicated on 10 day of July, 2013, addressed to:

Shane Greenbank  
Chief Deputy Prosecuting Attorney



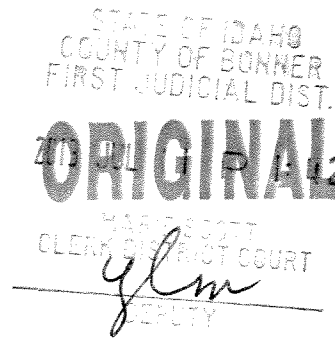
**BONNER COUNTY PROSECUTING ATTORNEY**

127 S. First Ave.

Sandpoint, Idaho 83864

Telephone: (208) 263-6714

Fax: (208) 263-6726



**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

STATE OF IDAHO,	)	Case No. <b>CR-2013-3324</b>
	)	
Plaintiff,	)	<b>PLAINTIFF'S SUPPLEMENTAL</b>
	)	<b>RESPONSE TO DEFENDANT'S</b>
vs.	)	<b>REQUEST FOR DISCOVERY</b>
	)	
<b>JODIE MARIE DILL (EDWARDS),</b>	)	
	)	
Defendant.	)	

COMES NOW, the Office of the Bonner County Prosecuting Attorney, and submits the following response to discovery:

CD (s):        1        Video  
                  2        Photographs

If you have not received any of the foregoing copies, please contact this office immediately.

Pursuant to Idaho Criminal Rule 16, the Prosecuting Attorney further informs the Defendant that you are permitted to inspect and copy or photograph books, paper, documents, photographs, tangible objects, building or places or copies or portions thereof, which are mentioned or listed in the above-listed documents and which are in the possession, custody or control of the Prosecuting Attorney and which are material to the preparation of the defense, or intended for use by the Prosecutor as evidence at trial or obtained from or belonging to the Defendant.

The Prosecuting Attorney further informs the Defendant that you are permitted to inspect and copy or photograph any results or reports of physical or mental examinations, and of scientific tests or experiments, made in connection with the particular case, or copies thereof, which are mentioned or listed in the above-listed documents and which are within the possession, custody or control of the Prosecuting Attorney, the existence of which is known or is available to the Prosecuting Attorney by the exercise of due diligence.

DATED this 11th day of July, 2013



**Shane Greenbank**  
**Chief Deputy Prosecutor**

### **CERTIFICATE OF SERVICE**

I hereby certify that on the 11th day of July, 2013, I caused to be served a true and correct copy of the foregoing document as addressed to the following:

Court File – Original

Janet Whitney – Copy  
Attorney for Defendant

Copy served via: Courthouse Mail



**Tara Walker, Legal Assistant**



BONNER COUNTY PUBLIC DEFENDER  
JANET K. WHITNEY (ISBN: 6624)  
406 South Ella Street  
Sandpoint, Idaho 83864  
Phone: (208) 255-7889; Fax: (208) 255-7559

STATE OF IDAHO  
COUNTY OF BONNER  
FIRST JUDICIAL DIST.

2013 JUL 17 PM 2 27

CLERK DISTRICT COURT

IN THE DISTRICT COURT OF THE ~~FIRST JUDICIAL DISTRICT~~ OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

STATE OF IDAHO,	)	
	)	
Plaintiff,	)	CASE NUMBER CR-13-0003324
	)	
V.	)	DEFENDANT'S FIRST SUPPLEMENTAL
	)	REQUEST FOR DISCOVERY
JODIE M. EDWARDS,	)	
	)	
Defendant.	)	

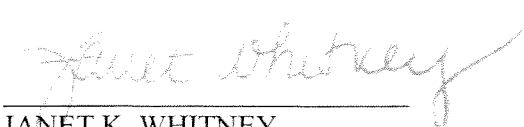
PLEASE TAKE NOTICE that the undersigned pursuant to Rule 16 of the Idaho Criminal Rules, the Fourth, Fifth, Sixth, Eighth and Fourteenth Amendments to the Constitution of the United States, and Article I, § 1, 2, 13 and 17 of the Constitution of the State of Idaho requests discovery and inspection of all materials discoverable by defendant per I.C.R. 16 b (1-8) and the aforementioned Constitutional provisions including but not limited to the following information, evidence and materials:

1.) Copy of the warrant and warrant return.

The undersigned further requests permission to inspect and copy said information, evidence and materials within FOURTEEN (14) days of this request, unless this information is given to this office at a sooner time.

DATED this 17<sup>th</sup> day of July, 2013.

OFFICE OF THE BONNER  
COUNTY PUBLIC DEFENDER

  
JANET K. WHITNEY  
CHIEF DEPUTY PUBLIC DEFENDER

CERTIFICATE OF DELIVERY

I hereby certify that a true and correct copy of the foregoing was personally served by placing a copy of the same in the interoffice mailbox on the 17<sup>th</sup> day of July, 2013, addressed to:

Bonner County Prosecuting Attorney



**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT  
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

**COURT MINUTES**

**JUDGE: DEBRA A HEISE**  
**DIVISION: MAGISTRATE COURT**  
**CLERK: SUSAN AYERLE**

**CASE NO.**  
**DATE: JUL 17 2013**      **TIME: 2:35 PM**  
**CRTRM: 4**

**STATE OF IDAHO**

vs

*CR2013-3324*

Plaintiff / Petitioner

Defendant / Respondent

Atty: SG

Atty:

**SUBJECT OF PROCEEDINGS**

**SEARCH WARRANT**

**INDEX      SPEAKER      PHASE OF CASE**

236		<b>Calls Case</b>
		<b>Present:</b> SHANE GREENBANK FOR STATE
	SWORN	WITNESS
	SG	DIRECT
	CM	CLINTON MATTINGLEY BCSO POST SINCE 1996; CURRENT DUTIES EXPLAINED SUPPLEMENTAL AFFIDAVIT IN SUPPORT OF S/W? YES TRUE AND CORRECT TO BEST OF KNOWLEDGE
237	CM	SINCE 2010 CELL PHONE FORENSICS SAMSUNG PHONE 509-671-0908? CORRECT POSSESSION OF BCSO? YES BONNER COUNTY IDAHO HOW COME TO BE IN POSSESSION? NOTIFIED BY PATROL DEPUTY CELL PHONE SEIZED SUBSEQUENT TO ARREST OF FEMALE, RELATED TO DRUG ARREST 24 GRAMS OF METHAMPHETAMINE? NO LAB REPORT UNOFFICIAL WEIGHT AT THIS TIME ARRESTED ON THAT CHARGE? YES ALSO HAD CASH IN \$100? \$735 IN CASH CELL PHONE LOOKED AT ON SCENE? I WAS ADVISED HER PHONE WAS VERY ACTIVE DURING HIS INVESTIGATION; ORIGINALLY STOPPED FOR TRAFFIC VIOLATION, FOUND ACTIVE WARRANT; SUBSEQUENT TO ARREST FOUND ITEMS; CELL PHONE QUITE ACTIVE AT THAT TIME; THINGS BEING TEXT LED HIM TO BELIEVE SALES OCCURRING
	J	EXAMPLE?
	CM	DO YOU STILL HAVE ANY AVAILABLE; NOT SPECIFIC BUT ARE NOT THESE DAYS; SHORT STATEMENTS TEXTS LIKE THAT IN CONJUNCTION WITH THAT MUCH CASH AND AMOUNT OF METHA SHE HAD CONSISTENT AS DEALING? YES WHAT IS 24 GRAMS? 8 BALL IS SIZE OF QUARTER IS 3.2 GRAMS; 24 GRAMS A LARGE AMOUNT, DARN NEAR AN OUNCE 28 GRAMS IS AN OUNCE ABOVE PERSONAL USE; TEENERS, GRAM, BALL; 24 GRAMS IS A LARGE AMOUNT
243	SG	CONTINUES – WHAT ASKING FOR – AS IN REQUESTED WARRANT
	CM	FIRST 4 BOXES THINGS FROM PROVIDER; CONSTANT OWNERSHIP OF THAT PHONE (NUMBER) NOTES BY SUBSCRIBER – PHONE REPORTED STOLEN WOULD BE NOTED AS WELL AS EXCULPATORY
	SG	CONTINUES TO REVIEW ITEMS/INFORMATION REQUESTED

	CM	CALL LOGS 3-2013 TO 7 2013 SMS AND MMS MESSAGES ARE TXT SMS SHORT MMS MULTI MEDIA ATTACHED VIDEO/PHOTOGRAPHS ON CAMERA EMAILS IN AND OUT AUDIO FILES IF I CAN ACCESS VOICE MAILS CALENDAR INFORMATION THINGS INCLUDED IN PHONE TROPHY SHOTS
247	SG	SERVING S/W ON PROVIDER DONE VIA FAX
	CM	YES NEW JERSEY ADDRESS, NOT LOCAL STORE
	J	AUDIO FILES CALENDAR
	CM	ELABORATES ON NEED FOR INFORMATION
	CM	7 DAYS TO SERVE 7 DAYS TO RETURN
	J	21 DAYS
	CM	GREAT
	J	RETGURN BY AUGUST 7, 2013 AT 5 PM
	J	FIND SUFFICIENT EVIDENC E OF PC SAMSUNG TELPEHONE DESCRIBED ON PAGE 1 OF WARRANT LOCATGED AT BCSO CONSTITUTES EVIDENCE OF CRIMINAL OFFENSE FURTHER, FIND INFORMATION CONTAINED ON PAGES 2 AND 3 OF S/W ARE WITHIN THE PHONE AND WOULD BE RELEVANT TO THE DELIVERY INVESTIGATION INVOLVING MS DILL SPECIFICALLY ANY OTHER FINDINGS
	SG	NO
250		END

STATE OF IDAHO  
COUNTY OF BONNER  
FIRST JUDICIAL DIST.

2013 JUL 18 PM 2 17

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

DEPUTY

STATE OF IDAHO

Plaintiff

No. CR2013-3324

vs.

**SEARCH WARRANT**

1. SAMSUNG/VERIZON, MODEL  
SCH-U360 (GUSTO), MEID  
A000002AE606A4, PHONE  
NUMBER 509-671-0908

Defendant

**BCSO CASE 13-011950**

County of Bonner, STATE OF IDAHO, to: any sheriff, constable, marshal or other peace officer authorized to enforce or assist in enforcing any law of the state of Idaho:

Proof, by oath and/or affidavit, having been this day made before me by Bonner County Sheriff's Detective Clinton Mattingley, that there is probable cause to believe that fruit(s) and/or evidence of the crime(s) of Possession of a Controlled Substance and/or Possession with intent to Deliver a Controlled substance and/or Delivery of a Controlled Substance, in violation of the provisions of Idaho Code 37 – 2732., are presently located within or upon:

☒ PROPERTY, to-wit the following cellular telephones, described as follows:  
**SAMSUNG/VERIZON, MODEL SCH-U360 (GUSTO), MEID  
A000002AE606A4, PHONE NUMBER 509-671-0908**

☒ PREMISES/PROPERTY, described as follows:  
**VERIZON WIRELESS dba CELLCO PARTNERSHIP**

LOCATED at:

Verizon Wireless (outlet)  
518 Larch Strett  
Sandpoint, Idaho. 83864  
and

Verizon Wireless dba Cellco Partnership  
180 Washington Valley Road  
Bedminster, NJ 07921  
Fax; 1-888-667-0026

LOCATION: The Cellular telephone is currently being held at the Bonner County Sheriff's Department at 4001 N. Boyer Road, Sandpoint, Idaho, 83864.

in violation of the criminal laws of the State of Idaho,

**AND, WHEREAS** the undersigned Magistrate/Judge is satisfied that there is probable cause to believe that fruits and/or evidence of the above listed crime(s) is/are present in or on the above-described property and grounds exist for the issuance of a search warrant.

**WHEREFORE, YOU ARE HEREBY COMMANDED TO**, within 7 (days/hours), make search of the aforementioned property, with the necessary and proper assistance, including enlisting the assistance of a cellular service provider to unlock and gain access to the cellular telephone handset, and there diligently search for and seize:

- ☒ The above described property
- ☒ Subscriber information for the above described cellular number from March, 2013 through July 2013;
- ☒ All available Subscribers' monthly statements, including all other cell numbers(s) in this plan with account details, from March, 2013 through July 2013;
- ☒ All available information in Subscribers' Account Notes and all other information contained in Subscribers records;

Information to be acquired from the mobile device at the Bonner County Sheriff's office;

- ☒ All recorded electronic/digital records of contents for the above described cellular telephone, including but not limited to;
- ☒ Call logs, to include incoming, outgoing and missed calls, phonebook and contacts to include names, phone numbers, e-mail addresses and addresses, monikers, photos, images, videos;
- ☒ SMS/ MMS text messages and attached multimedia files to include incoming, outgoing and drafts, Secondary SMS application message content (such as KIK, TextPlus, TextFree, etc.), e-mails to include incoming, outgoing and drafts, Pictures and all associated metadata to include camera information and geotagging information (GPS coordinates of the location of the picture.), Videos and any associated metadata;

- ☒ Audio files to include any voicemail store on the device and voice notes,
- ☒ Calendar information, including synced calendars;
- ☒ That may contain evidence of the crime of possession of controlled substances, delivery of controlled substances, or possession with intent to deliver controlled substances, or conspiracies to commit any of the same, and may identify co-conspirators or persons to whom controlled substances may have been delivered, or from whom controlled substances may have been obtained.

All of which are evidence of the commission, an attempt to commit, or a conspiracy to commit the offense(s) described above or an offense under the Uniform Controlled Substances Act, I.C. Title 37, Chapter 27.

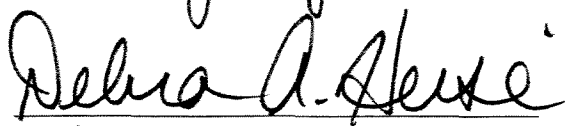
**IT IS FURTHER ORDERED THAT** execution of this warrant shall occur anytime day or night as the telephone is currently being held in police custody.

**IT IS FURTHER ORDERED THAT** the knock and announce requirement is inapplicable to this search warrant.

**YOU ARE FURTHER COMMANDED:**

1. If the above-described property, or any part thereof, is found, then prepare a written inventory, describing the property in detail, in the presence of the person from whom it was taken, or in that person's absence, in the presence of some credible person.
2. If the above-described property, or any part thereof, is found, then seize said property and leave a copy of this warrant, and a receipt that describes in detail the property seized, with the person from whom it was taken, or in the place where said property was found.
3. Return this search warrant and the written inventory to any First Judicial District Magistrate Judge by the 7 day of August, 2013, by the hour of 5 P.M.
4. The property shall be retained by the investigating agency until the case is concluded and then may be destroyed if contraband or returned if personal property that was not used as part of any crime charged.

**GIVEN UNDER MY HAND** this 17 day of July, 2013, at 2:50 a.m./(p.m.)

  
Magistrate/Judge, Bonner County, Idaho

**RETURN OF WARRANT**

STATE OF IDAHO

)

)

ss

County of Bonner

)

I, the undersigned law enforcement officer, received the above Search Warrant on the \_\_\_\_\_ day of \_\_\_\_\_, 2013, and executed the same on the \_\_\_\_\_ day of \_\_\_\_\_, 2013, at \_\_\_\_\_ o'clock \_\_\_\_\_.M.

☐ **NONE OF THE ABOVE DESCRIBED PROPERTY WAS FOUND ON / IN THE ABOVE-DESCRIBED PREMISES / PROPERTY / VEHICLE(S).**

☐ **I DISCOVERED AND SEIZED THE PROPERTY DESCRIBED IN THE ATTACHED WRITTEN INVENTORY. THAT WRITTEN INVENTORY WAS MADE IN THE PRESENCE OF \_\_\_\_\_, (the applicant for the above search warrant) AND IS A TRUE AND DETAILED DESCRIPTION OF ALL PROPERTY TAKEN BY ME PURSUANT TO THE ABOVE SEARCH WARRANT.**

☐ **I LEFT A COPY OF THE ABOVE SEARCH WARRANT AND A RECEIPT FOR THE PROPERTY SEIZED:**

( ) **WITH THE PERSON FROM WHOM IT WAS TAKEN.**

( ) **AT THE PLACE WHERE THE PROPERTY WAS FOUND.**

**DATED** this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
**LAW ENFORCEMENT OFFICER**

**SUBSCRIBED AND SWORN** to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
**NOTARY PUBLIC -- STATE OF IDAHO**  
Commission Expires \_\_\_\_\_



**BONNER COUNTY PROSECUTING ATTORNEY**  
127 S. First Avenue  
Sandpoint, ID 83864  
(208) 263-6714  
(208) 263-6726 (facsimile)

STATE OF IDAHO  
COUNTY OF BONNER  
FIRST JUDICIAL DIST.

2013 JUL 18 PM 2 17

CLERK DISTRICT COURT

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

STATE OF IDAHO

vs.

Samsung/Verizon Mobile Device,  
Model SCH-U360,  
MEID A000002AE606A4, phone  
number 509-671-0908

No. CR2013-3324

**SUPPLEMENTAL AFFIDAVIT IN  
SUPPORT OF REQUEST FOR  
SEARCH WARRANT**

I, Clinton Mattingley, a Detective for the Bonner County Sheriff's Department, being first duly sworn on oath deposes and says:

(1) *Background of affiant:*

Current position and other law enforcement employment: I am a duly appointed, qualified, fully commissioned, and acting peace officer within the County of Bonner, State of Idaho. I am employed by the Bonner County Sheriff's Office, and have been since 1996-2004 and 2008 to present. During the break from the Bonner County Sheriff's office, I attended the Federal Law Enforcement Academy at Glenco, Georgia, and then went overseas to Iraq, working with the U.S. embassy as personal protection for the U.S. ambassador and handling an explosives K-9.

General law enforcement training and specialized training involving crime(s) under investigation: I have attended and completed reserve and full time law enforcement training academies in Idaho. I currently hold an immediate certificate through the State of Idaho. Through these basic academies I received training in criminal law, criminal procedures, patrol procedures, violent crimes and crimes involving the manufacture, distribution, and identification of illegal drugs.

General law enforcement experience: Throughout my years of law enforcement experience, I have investigated numerous crimes against persons and property, including crimes of violence, theft, injury to property, etc. I have assisted in and personally investigated and arrested persons for their involvement in the manufacture, distribution, transporting, and/or consumption of illegal drugs.

Specific experience relevant to the crime involved: As of June 2009, I have been assigned with the Criminal Interdiction Unit. I have attended and completed the 80 hour DEA basic drug investigation training. I have also attended the 40 hour MCTC clandestine lab training course. I have received several hundred hours of training related to drug identification, investigations, and influence. I have participated in the investigations of methamphetamine manufacturing and have personally seen several active and inactive methamphetamine labs and portions of methamphetamine labs. I have received specific training on the identification of precursors related to the manufacturing of methamphetamine and currently have open investigations related to the purchase of precursors.

In May 2010, I became interested in the data recovery from Cell Phone's to help further an investigation into or of criminal activity. I received several hours of training in the recovery of Basic Cell Phone information from Public Agency Training Council (PATC). Extending my training and knowledge further into the technology, I also received training into Cell Phone Technology & Forensic Data Recovery, and Advanced Cellular Technology & Smartphone Forensics, and Investigative Techniques Using Social Networking Site and Mobile Devices through PATC.

Through the help of other agencies, the Criminal Interdiction Unit, was able to establish a Cell Phone Forensic Lab within our department, including Laptop computer, Secure View3 software, Oxygen Forensic Suite 2013 software.

(2) *Crimes being investigated:*

Possession of a Controlled Substance and/or Possession with intent to Deliver a Controlled substance and/or Delivery of a Controlled Substance, in violation of the provisions of Idaho Code 37 – 2732.

(3) *Additional information for the court to consider regarding the request for authorization to search for and seize the items detailed in the search warrant:*

*In the context of narcotics investigations, based on my training and experience, I am informed and believe:*

- a) The government's efforts at seizing and forfeiting assets of drug traffickers have been widely publicized in the news media;
- b) That drug traffickers often place assets in names other than their own to avoid detection, seizure, and forfeiture of these assets by government agencies;

- c) That even though these assets are in other person's names, drug traffickers continue to use these assets and exercise dominion and control over them;
- d) That drug traffickers often maintain books, records, receipts, notes, computer disks/records, ledgers, airline tickets, money orders, and other papers relating to the acquisition, transportation, possession, sale and/or distribution of controlled substances;
- e) That these books, records, receipts, notes, ledgers, etc., are usually maintained at the drug trafficker's residence;
- f) That it is common for drug traffickers to secret contraband proceeds of drug sales, and records of drug transactions in secure locations within their residences and/or their businesses for ready access and to conceal them from law enforcement authorities;
- g) That drug traffickers attempt to legitimize their profits from the sale of drugs and to accomplish this goal, drug traffickers utilize, among other methods:
  - 1) banks, foreign and domestic, and their attendant services;
  - 2) securities;
  - 3) cashier's checks;
  - 4) money drafts;
  - 5) letters of credit;
  - 6) real estate;
  - 7) businesses - real and fictitious;
  - 8) etc.
- h) That persons involved in drug trafficking conceal in their residences and businesses caches of drugs, large amounts of currency, financial instruments, precious metals, jewelry, and other items of value which are the proceeds of drug transactions and evidence of financial transactions, relating to obtaining, transferring, secreting, or spending of large sums of money made from engaging in drug trafficking activities;
- i) That drug traffickers must keep on hand large amounts of U.S. currency in order to maintain and finance their drug trafficking business;
- j) That drug traffickers frequently take or cause to be taken photographs and videotapes of themselves, their associates, their property and their illegal product and that they usually maintain these photographs and videotapes in their possession;

- k) That the courts have recognized that unexplained wealth can be probative evidence of crimes that are motivated by greed; that drug trafficking is a crime for which pecuniary gain is generally the motive;
- l) That financial records of the suspects of this investigation will probably provide evidence of drug trafficking by revealing unexplained wealth and large cash transactions;
- m) That drug traffickers commonly possess weapons in order to protect their investments and that these weapons are usually maintained in the residence, on the person, or in a vehicle to which the trafficker has access, so as to be readily accessible.

*In the context of investigations involving searches regarding cellular telephones, herein I use the following technical terms to convey the following meanings:*

Electronic Serial Number (ESN) – A unique number embedded into the phone by the manufacturer. The ESN is automatically transmitted to the base station so the wireless carrier's mobile switching office can check the call's validity. The first 8 bits of the ESN was originally the manufacturer code, leaving 24 bits for the manufacturer to assign up to 16,777,215 codes to mobiles. To allow more than 256 manufacturers to be identified the manufacturer code was extended to 14 bits, leaving 18 bits for the manufacturer to assign up to 262,144 codes. As ESNs have essentially run out, a new serial number format, MEID, was created. MEIDs are 56 bits long.

Mobile Equipment Identifier (MEID) – A globally unique 56-bit identification number for a physical piece of CDMA equipment. MEID's replaced ESN's (Electronic Serial Number) after the original ENS scheme began to become depleted in 2008.

[CDMA - Code Division Multiple Access – associated with Verizon, Alltel, U S Cellular, Cricket and Sprint.]

Short Message Service (SMS) – A text messaging service component of phone, web, or mobile communication system, using standardized communications protocols that allow the exchange of short text messages between fixed line or mobile phone devices, as a means of sending messages of up to 160 characters to and from mobile handsets.

Multimedia Messaging Service (MMS) – A standard way to send messages that include multimedia content to and from mobile phones. It extends the core SMS (Short Message Service) capability that allowed exchange of text messages only up to 160 characters in length. The most popular is to send photographs from camera-equipped handsets, although it is popular as a method of delivering news and entertainment content including videos, pictures, text pages and ringtones.

Kik Messenger – An instant messaging application for mobile devices. The application is available on most iOS, Android, Windows Phone, BlackBerry and Symbian operating systems at no cost. Kik Messenger is similar to BlackBerry's Messenger, and iPhone's iMessage. Kik uses a smartphone's data plan or WiFi to transmit and receive messages, a feature that appeals to individuals looking to avoid text messaging rates set by phone service providers. Kik offers fast text messaging service and also allows users to share photos, sketches, voice messages, and other content. Kik Messenger uses a username instead of a phone number, allowing for more privacy than other forms of text messaging.

Skype – A proprietary Voice over IP service and software application. The service allows users to communicate with peers by voice using a microphone, video by using a webcam, and instant messaging over the internet. Phone calls may be placed to recipients on the traditional telephone networks. Calls to other users within the Skype service are free of charge, while calls to landline telephones and mobile phones are charged via a debit-based user account system. Skype has also become popular for its additional features, including file transfer, and videoconferencing.

Subscriber Identity Module (SIM) – A card inserted into a GSM/TDMA or GSM-only handset containing subscriber-related data. The card contains 18 digits for GSM markets and 20 digits for TDMA markets.

[GSM – Global System for Mobile Communications – T-Mobile, AT&T]

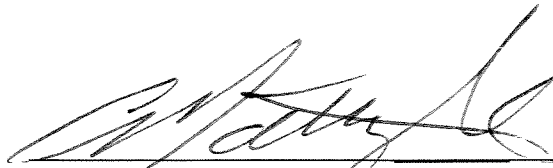
Service Set Identification - (SSID) - Each ESS (extended service set) is identified by a service set identifier (SSID) - normally a human-readable text string and thus commonly called the "network name". The SSID is chosen by the client device that starts the network, and broadcasting of the SSID is performed in a pseudo-random order by all devices that are members of the network. As of 2013 an SSID has a maximum length of 32 bytes.

International Mobile Equipment Identifier – (IMEI) – A unique 15-digit number that serves as the serial number of the GSM handset, the IMEI is automatically transmitted by the phone when the network asks for it. The IMEI appears on the label located on the back of the phone.

International Mobile Subscriber Identifier – (IMSI) – A unique 15-digit number which designates the subscriber, this number is used for provisioning in network elements.

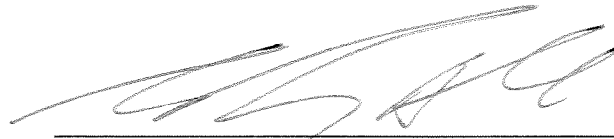
Mobile Directory Number – (MDN) – The actual number a person would dial to reach a specific phone.

I certify (or declare) under penalty of perjury under the laws of the State of Idaho that the foregoing is true and correct.

  
\_\_\_\_\_  
Detective Clinton Mattingley  
Affiant Peace Officer

**SUBSCRIBED AND SWORN** to before me in Bonner County, Idaho, this 17 day of  
July, 2013.



  
\_\_\_\_\_  
**MAGISTRATE OF THE DISTRICT COURT**  
**BONNER COUNTY, IDAHO** 3/12/19

**BONNER COUNTY PROSECUTING ATTORNEY**

127 S. First Avenue  
Sandpoint, ID 83864  
Phone: (208) 263-6714  
Fax: (208) 263-6726

FILED  
CLERK OF DISTRICT COURT  
COUNTY OF BONNER  
FIRST JUDICIAL DIST.

2013 JUL 23 PM 4:41

**ORIGINAL**

CLERK DISTRICT COURT

DEPUTY 

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

**STATE OF IDAHO**

Plaintiff,

v.

**JODIE MARIE DILL (EDWARDS),**

Defendant.

Case No: **CR-2013-3324**

**PLAINTIFF'S SUPPLEMENTAL  
RESPONSE TO REQUEST FOR  
DISCOVERY**

COMES NOW the Office of the Bonner County Prosecuting Attorney and submits the following Supplemental Response to Request for Discovery:

Page (s): 38-39

Copy of Shoshone Co. Warrant and Warrant Return

If you have not received any of the foregoing copies, please contact this office immediately.

Protected information, to-wit: Contact information, personal identifying information and private information, may have been redacted in the provided discovery per Idaho Criminal Rule 16(d). If the Attorney for the Defendant wishes to review this information, please contact the Prosecuting Attorney assigned to handle the case. Please note, in the event the prosecution has no objection to providing unredacted copies of protected information on colored paper, the information shall not be shared with the defendant or the defendant's family without the explicit written consent of the prosecutor assigned to handle the case.

The State reserves the right to call on any witnesses listed in the provided discovery or listed in the underlying police report(s). Further, the State may call the following additional witness(es):

No additional witnesses to disclose at this time.


Further, the State reserves the right to call on any witnesses listed in the provided discovery or listed in any underlying reports or documentation submitted by the defense

Pursuant to Idaho Criminal Rule 16, the Prosecuting Attorney further informs the Defendant that you are permitted to inspect and copy or photograph books, paper, documents, photographs, tangible objects, building or places or copies or portions thereof, which are mentioned or listed in the above-listed documents and which are in the possession, custody or control of the Prosecuting Attorney and which are material to the preparation of the defense, or intended for use by the Prosecutor as evidence at trial, or obtained from or belonging to the Defendant.

The Prosecuting Attorney further informs the Defendant that you are permitted to inspect and copy or photograph any results or reports of physical or mental examinations, and of scientific tests or experiments, made in connection with the particular case, or copies thereof, which are mentioned or listed in the above-listed documents and which are within the possession, custody or control of the Prosecuting Attorney, the existence of which is known or is available to the Prosecuting Attorney by the exercise of due diligence.

Should the State become aware of additional material or information subject to disclosure, the State will notify the defendant pursuant to ICR 16.

DATED this 23 day of July, 2013.

  
Shane Greenbank, ISB# 7845  
Chief Deputy Prosecutor

**CERTIFICATE OF SERVICE**

I hereby certify that on the 23, day of July, 2013, I caused to be served true and correct copies of the foregoing document as follows:

Court File - Original

Janet K. Whitney - Copy  
Attorney for Defendant

Copy served via: Courthouse Mail

  
Tara Walker, Legal Assistant



ORIGINAL

**BONNER COUNTY PROSECUTING ATTORNEY**

127 S. First Avenue  
Sandpoint, ID 83864  
Phone: (208) 263-6714  
Fax: (208) 263-6726

2013 JUL 26 P 1:43

CLERK DISTRICT COURT

DEPUTY

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

**STATE OF IDAHO**

Plaintiff,

v.

**JODIE MARIE DILL (EDWARDS),**

Defendant.

Case No: **CR-2013-3324**

**PLAINTIFF'S SUPPLEMENTAL  
RESPONSE TO REQUEST FOR  
DISCOVERY**

COMES NOW the Office of the Bonner County Prosecuting Attorney and submits the following Supplemental Response to Request for Discovery:

Page (s): 40-50

Expert's facts and data

Expert's Curriculum Vitae

If you have not received any of the foregoing copies, please contact this office immediately.

Protected information, to-wit: Contact information, personal identifying information and private information, may have been redacted in the provided discovery per Idaho Criminal Rule 16(d). If the Attorney for the Defendant wishes to review this information, please contact the Prosecuting Attorney assigned to handle the case. Please note, in the event the prosecution has no objection to providing unredacted copies of protected information on colored paper, the information shall not be shared with the defendant or the defendant's family without the explicit written consent of the prosecutor assigned to handle the case.

The State reserves the right to call on any witnesses listed in the provided discovery or listed in the underlying police report(s). Further, the State may call the following additional witness(es):

Additional Expert Witness(es):

Jeremy Johnston ISP Forensic

This witness, who will provide expert testimony at hearing or trial, is a Forensic Scientist employed by the Idaho State Police Forensic Services. As this witness is the scientist who performed the tests, analysis, and/or comparisons

relating to the laboratory report(s) in this matter, this witness will testify as to his/her qualifications, opinions, and the facts and data utilized in forming the opinions. Copies of the laboratory report(s), facts and data (i.e., case notes), and the Curriculum Vitae of this witness is being provided at this time as described above, or will be provided through Supplemental Discovery as the material is received by the prosecutor's office.

Further, the State reserves the right to call on any witnesses listed in the provided discovery or listed in any underlying reports or documentation submitted by the defense

Pursuant to Idaho Criminal Rule 16, the Prosecuting Attorney further informs the Defendant that you are permitted to inspect and copy or photograph books, paper, documents, photographs, tangible objects, building or places or copies or portions thereof, which are mentioned or listed in the above-listed documents and which are in the possession, custody or control of the Prosecuting Attorney and which are material to the preparation of the defense, or intended for use by the Prosecutor as evidence at trial, or obtained from or belonging to the Defendant.

The Prosecuting Attorney further informs the Defendant that you are permitted to inspect and copy or photograph any results or reports of physical or mental examinations, and of scientific tests or experiments, made in connection with the particular case, or copies thereof, which are mentioned or listed in the above-listed documents and which are within the possession, custody or control of the Prosecuting Attorney, the existence of which is known or is available to the Prosecuting Attorney by the exercise of due diligence.

Should the State become aware of additional material or information subject to disclosure, the State will notify the defendant pursuant to ICR 16.

DATED this 26th day of July, 2013.



---

Shane Greenbank, ISB# 7845  
Chief Deputy Prosecutor

**CERTIFICATE OF SERVICE**

I hereby certify that on the 26th, day of July, 2013, I caused to be served true and correct copies of the foregoing document as follows:

Court File - Original

Janet Whiteny - Copy  
Attorney for Defendant

Copy served via: Courthouse Mail



---

Tara Walker, Legal Assistant

ORIGINAL

STATE OF IDAHO  
COUNTY OF BONNER  
FIRST JUDICIAL DIST.

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

STATE OF IDAHO

Plaintiff

No. CR2013-3324

CLERK OF DISTRICT COURT  
DEPUTY

vs.

SEARCH WARRANT

1. SAMSUNG/VERIZON, MODEL  
SCH-U360 (GUSTO), MEID  
A000002AE606A4, PHONE  
NUMBER 509-671-0908

Defendant

BCSO CASE 13-011950

County of Bonner, STATE OF IDAHO, to: any sheriff, constable, marshal or other peace officer authorized to enforce or assist in enforcing any law of the state of Idaho:

Proof, by oath and/or affidavit, having been this day made before me by Bonner County Sheriff's Detective Clinton Mattingley, that there is probable cause to believe that fruit(s) and/or evidence of the crime(s) of Possession of a Controlled Substance and/or Possession with intent to Deliver a Controlled substance and/or Delivery of a Controlled Substance, in violation of the provisions of Idaho Code 37 – 2732., are presently located within or upon:

☒ PROPERTY, to-wit the following cellular telephones, described as follows:  
SAMSUNG/VERIZON, MODEL SCH-U360 (GUSTO), MEID  
A000002AE606A4, PHONE NUMBER 509-671-0908

☒ PREMISES/PROPERTY, described as follows:  
VERIZON WIRELESS dba CELLCO PARTNERSHIP

LOCATED at:

Verizon Wireless (outlet)  
518 Larch Strett  
Sandpoint, Idaho. 83864  
and  
Verizon Wireless dba Cellco Partnership  
180 Washington Valley Road  
Bedminster, NJ 07921  
Fax: 1-888-667-0026

0071

LOCATION: The Cellular telephone is currently being held at the Bonner County Sheriff's Department at 4001 N. Boyer Road, Sandpoint, Idaho, 83864.

in violation of the criminal laws of the State of Idaho,

**AND, WHEREAS** the undersigned Magistrate/Judge is satisfied that there is probable cause to believe that fruits and/or evidence of the above listed crime(s) is/are present in or on the above-described property and grounds exist for the issuance of a search warrant.

**WHEREFORE, YOU ARE HEREBY COMMANDED TO**, within 7 (days/hours), make search of the aforementioned property, with the necessary and proper assistance, including enlisting the assistance of a cellular service provider to unlock and gain access to the cellular telephone handset, and there diligently search for and seize:

- ☒ The above described property
- ☒ Subscriber information for the above described cellular number from March, 2013 through July 2013;
- ☒ All available Subscribers' monthly statements, including all other cell numbers(s) in this plan with account details, from March, 2013 through July 2013;
- ☒ All available information in Subscribers' Account Notes and all other information contained in Subscribers records;

Information to be acquired from the mobile device at the Bonner County Sheriff's office;

- ☒ All recorded electronic/digital records of contents for the above described cellular telephone, including but not limited to;
- ☒ Call logs, to include incoming, outgoing and missed calls, phonebook and contacts to include names, phone numbers, e-mail addresses and addresses, monikers, photos, images, videos;
- ☒ SMS/ MMS text messages and attached multimedia files to include incoming, outgoing and drafts, Secondary SMS application message content (such as KIK, TextPlus, TextFree, etc.), e-mails to include incoming, outgoing and drafts, Pictures and all associated metadata to include camera information and geotagging information (GPS coordinates of the location of the picture.), Videos and any associated metadata;

- ☒ Audio files to include any voicemail store on the device and voice notes,
- ☒ Calendar information, including synced calendars;
- ☒ That may contain evidence of the crime of possession of controlled substances, delivery of controlled substances, or possession with intent to deliver controlled substances, or conspiracies to commit any of the same, and may identify co-conspirators or persons to whom controlled substances may have been delivered, or from whom controlled substances may have been obtained.

All of which are evidence of the commission, an attempt to commit, or a conspiracy to commit the offense(s) described above or an offense under the Uniform Controlled Substances Act, I.C. Title 37, Chapter 27.

**IT IS FURTHER ORDERED THAT** execution of this warrant shall occur anytime day or night as the telephone is currently being held in police custody.

**IT IS FURTHER ORDERED THAT** the knock and announce requirement is inapplicable to this search warrant.

**YOU ARE FURTHER COMMANDED:**

1. If the above-described property, or any part thereof, is found, then prepare a written inventory, describing the property in detail, in the presence of the person from whom it was taken, or in that person's absence, in the presence of some credible person.
2. If the above-described property, or any part thereof, is found, then seize said property and leave a copy of this warrant, and a receipt that describes in detail the property seized, with the person from whom it was taken, or in the place where said property was found.
3. Return this search warrant and the written inventory to any First Judicial District Magistrate Judge by the 7 day of August, 2013, by the hour of 5 P.M.
4. The property shall be retained by the investigating agency until the case is concluded and then may be destroyed if contraband or returned if personal property that was not used as part of any crime charged.

GIVEN UNDER MY HAND this 17 day of July, 2013, at 2:50 a.m./p.m. (p.m.)

Debra A. Skuse  
Magistrate/Judge, Bonner County, Idaho

**RETURN OF WARRANT**

STATE OF IDAHO

)

)

ss

County of Bonner

)

I, the undersigned law enforcement officer, received the above Search Warrant on the 17 day of July, 2013, and executed the same on the 17 day of July, 2013, at 4:00 o'clock P.M.

☐ **NONE OF THE ABOVE DESCRIBED PROPERTY WAS FOUND ON / IN THE ABOVE-DESCRIBED PREMISES / PROPERTY / VEHICLE(S).**

☒ **I DISCOVERED AND SEIZED THE PROPERTY DESCRIBED IN THE ATTACHED WRITTEN INVENTORY. THAT WRITTEN INVENTORY WAS MADE IN THE PRESENCE OF Mattingley, (the applicant for the above search warrant) AND IS A TRUE AND DETAILED DESCRIPTION OF ALL PROPERTY TAKEN BY ME PURSUANT TO THE ABOVE SEARCH WARRANT.**

☐ **I LEFT A COPY OF THE ABOVE SEARCH WARRANT AND A RECEIPT FOR THE PROPERTY SEIZED:**

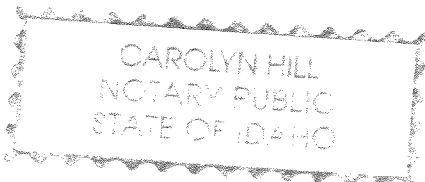
( ) **WITH THE PERSON FROM WHOM IT WAS TAKEN.**

( ) **AT THE PLACE WHERE THE PROPERTY WAS FOUND.**

DATED this 29 day of July, 2013.

[Signature]  
LAW ENFORCEMENT OFFICER

SUBSCRIBED AND SWORN to before me this 29 day of July, 2013.



[Signature]  
NOTARY PUBLIC -- STATE OF IDAHO  
Commission Expires 3/12/19

BONNER COUNTY PUBLIC DEFENDER  
JANET K. WHITNEY (ISBN: 6624)  
406 South Ella Street  
Sandpoint, Idaho 83864  
Phone: (208) 255-7889; Fax: (208) 255-7559

STATE OF IDAHO  
County of Bonner } ss  
FILED 8-7-13  
AT 130 O'Clock 9 M  
CLERK. cm DISTRICT COURT  
Deputy

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

STATE OF IDAHO,	)	
	)	
Plaintiff,	)	CASE NUMBERS CR-13-0003324 (F)
	)	CR-13-0003524 (M)
V.	)	
	)	ORDER CONSOLIDATING CASES
JODIE M. DILL	)	
AKA JODIE M. EDWARDS,	)	
	)	
Defendant.	)	
_____	)	

The above entitled matter having come before the Court on the stipulated motion and it appearing that the felony case and a misdemeanor case arise from the same set of facts, acts or transactions and it appearing that a consolidation of the cases would result in judicial economy; now therefore,

IT IS HEREBY ORDERED, that the felony charge(s) in CR-13-0003249 and the misdemeanor charge(s) in CR-13-0003524 be consolidated and joined together pursuant to I.C.R. 13 for all further proceedings.

DATED this 7<sup>th</sup> day of August, 2013.

  
\_\_\_\_\_  
JUDGE



CLERK'S CERTIFICATE

I hereby certify that a true and correct copy of the foregoing was personally served by placing a copy of the same in the interoffice mailbox or as otherwise indicated on the 8 day of August, 2013, addressed to:

Bonner County Public Defender *by fax*

Bonner County Prosecuting Attorney *by fax*

*McQuest*  
\_\_\_\_\_

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE STATE OF IDAHO  
IN AND FOR THE COUNTY OF BONNER, MAGISTRATE DIVISION

STATE OF IDAHO, )  
 )  
Plaintiff, )  
vs )  
 )  
JODIE MARIE DILL, AKA EDWARDS )  
 )  
Defendant. )

Case No: CR-2013-3324

ORDER HOLDING  
DEFENDANT TO ANSWER

STATE OF IDAHO } ss  
County of Bonner }  
FILED 8-7-13  
AT 130 O'Clock 9 M  
CLERK. my DISTRICT COURT  
Deputy

Preliminary Hearing having been:

- ☒ waived,  
☐ held in this case on August 7, 2013,  
☐ waived, the Defendant having entered a plea of GUILTY and executing the same in writing,  
a copy of which is on file herein;

**and** the Court being fully satisfied that a public offense has been committed, and that there is probable or sufficient cause to believe the defendant guilty thereof;

**IT IS HEREBY ORDERED** the Defendant shall be held to answer to the District Court of the First Judicial District of the State of Idaho, in and for the County of Bonner, to the charge of: Possession of a Controlled Substance, Methamphetamine, I§37-2732(c)(1), a felony offense committed in Bonner County, Idaho,

- ☒ on or about the 4<sup>th</sup> day of July, 2013.  
☐ between the day of , 20 , and the day of , 20 .

**IT IS FURTHER ORDERED:**

☒ Defendant shall appear for **ARRAIGNMENT IN DISTRICT COURT** on **August 19, 2013** at **9:00 a.m.** in front of the Honorable Barbara A Buchanan who shall be the presiding judge in this action.

**IT IS FURTHER ORDERED:** ALL pretrial motions in this case shall be filed NOT LATER THAN 42 DAYS after the date of this Order unless ordered otherwise. ALL such pretrial motions in this matter shall be accompanied by a brief in support of the motion and a notice of hearing for a date scheduled through the court.

**IT IS FURTHER ORDERED:**

☐ A Presentence Investigation be conducted; Defendant is to contact Probation & Parole within **TWENTY-FOUR (24) HOURS** of the date herein and **APPEAR FOR SENTENCING IN DISTRICT COURT** on the day of , 20 at , in the courtroom of the above entitled Court, before the Honorable Barbara A Buchanan who shall be the presiding judge in this action.

**IT IS FURTHER ORDERED:**

- ☒ Defendant's release is continued on the bond posted.  
☐ Defendant's release on his own recognizance is continued.  
☐ YOU, THE SHERIFF OF BONNER COUNTY, IDAHO, are commanded to receive the above-named Defendant into your custody and detain Defendant until Defendant is legally discharged. Defendant is to be admitted to bail in the sum of \$ .

DATED: August 7, 2013

  
JUSTIN W JULIAN Magistrate

COPIES TO: ☒ DEF ☒ DEF COUNSEL ☒ PROSECUTOR ☐ BCSO ☐ PROBATION/PAROLE *in Court*

DATE: August 7, 2013 , Deputy Clerk

**BONNER COUNTY PROSECUTING ATTORNEY**

127 S. First Avenue  
Sandpoint, ID 83864  
(208) 263-6714  
(208) 263-6726 (facsimile)

*Assigned Prosecutor:*  
**SHANE GREENBANK**

STATE OF IDAHO  
County of Bonner } ss  
FILED 8-7-13  
AT 13 O'Clock 0 M  
CLERK.                      DISTRICT COURT  
Deputy                     

**ORIGINAL**

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

**STATE OF IDAHO**

Plaintiff,

v.

**JODIE MARIE DILL**  
**aka JODIE MARIE EDWARDS,**

DOB [REDACTED]

SSN: [REDACTED]

Defendant.

Case No: **CR-2013-3324**

**INFORMATION**

AGENCY: BCSO #13-011950

**COMES NOW**, Shane Greenbank, Chief Deputy Prosecuting Attorney for Bonner County, State of Idaho, and complains that the above named defendant did commit the crime of: **POSSESSION OF A CONTROLLED SUBSTANCE, METHAMPHETAMINE**, a Felony offense pursuant to Idaho Code §37-2732(c)(1), committed as follows:

The Defendant, **JODIE MARIE DILL, aka JODIE MARIE EDWARDS**, on or about the 4<sup>th</sup> day of July, 2013, in the County of Bonner, State of Idaho, did unlawfully possess a controlled substance, to-wit: Methamphetamine, a Schedule II controlled substance.

All of which is contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Idaho.

**WHEREFORE**, Complainant prays that the Defendant be dealt with according to law.

**DATED** this 27<sup>th</sup> day of August, 2013.

  
**SHANE GREENBANK, COMPLAINANT  
CHIEF DEPUTY PROSECUTOR**

**CERTIFICATE OF SERVICE**

I hereby certify that on the 7 day of August, 2013, I caused to be served a true and correct copy of the foregoing document as follows:

Court File - Original

Janet Whitney - Copy  
Attorney for Defendant  
Hand Delivered

  
**SHANE GREENBANK**

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT  
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

COURT MINUTES

JUDGE: JUSTIN W. JULIAN  
DIVISION: MAGISTRATE  
CLERK: MISSY SECK

CASE NO. CR-2013-3324  
DATE: AUG 7, 2013  
COURTROOM # 4

TIME: 1:30 PM

STATE OF IDAHO

vs JODIE MARIE DILL

Plaintiff / Petitioner

Defendant / Respondent

Atty: SHANE GREENBANK

Atty: JANET WHITNEY

SUBJECT OF PROCEEDINGS  
CHARGE

PRELIMINARY HEARING  
ALSO ADDRESSED: CR-2013-3524

INDEX	SPEAKER	PHASE OF CASE
202	J	<b>Calls Case</b>
		<b>PRESENT:</b> SHANE GREENBANK; JANET WHITNEY; DEFENDANT
	J	MS. WHITNEY.
	JW	HAVE A WAIVER OF SPEEDY TRIAL AS WELL AS AN ORDER TO CONSOLIDATE. MAKE MOTION TO CONSOLIDATE THE MISDEMEANOR WITH THE PENDING FELONY YOUR HONOR.
	JW	HAVE DISCUSSED NATURE AND PURPOSE OF PRELIMINARY HEARING WITH MY CLIENT. HE IS GOING TO WAIVE PRELIMINARY HEARING AND AGREE THAT THERE IS PROBABLE CAUSE TO BE BOUND OVER INTO THE DISTRICT COURT FOR FURTHER PROCEEDINGS.
	J	EXPLAINS WAIVING RIGHT TO PRELIMINARY HEARING
	DEF	YES. FREE AND VOLUNTARY WAIVER. NO THREATS MADE TO WAIVE. WISH TO WAIVE MY RIGHT TO A PRELIMINARY HEARING
	J	<b>ACCEPT YOUR WAIVER BOUND OVER TO DISTRICT COURT FOR ARRAIGNMENT ARRAIGNMENT SET FOR: AUGUST 19, 2013 AT 9AM</b>
	J	<b>ACCEPTING WAIVER OF SPEEDY TRIAL IN THE MISDEMEANOR CASE. GRANTING THE CONSOLIDATION OF THE MISDEMEANOR WITH FELONY. WILL SIGN THE ORDER.</b>
	J	ONCE YOU GET A COPY OF THE ORDER HOLDING DEFENDANT TO ANSWER YOU ARE EXCUSED.
205		END

**BONNER COUNTY PROSECUTING ATTORNEY**

127 S. First Avenue  
Sandpoint, ID 83864  
Phone: (208) 263-6714  
Fax: (208) 263-6726

**ORIGINAL**

STATE OF IDAHO  
County of Bonner } ss  
FILED Aug 14 2013  
AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M  
CLERK \_\_\_\_\_ DISTRICT COURT  
Deputy [Signature]

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

**STATE OF IDAHO**

Plaintiff,

v.

**JODIE MARIE DILL (EDWARDS),**

Defendant.

Case No: **CR-2013-3324**

**PLAINTIFF'S SUPPLEMENTAL  
RESPONSE TO REQUEST FOR  
DISCOVERY**

COMES NOW the Office of the Bonner County Prosecuting Attorney and submits the following Supplemental Response to Request for Discovery:

Page (s):	51-52	Supplemental Report - Det. Mattingley
	53-56	Search Warrant
	57-68	Forensic Download
CD (s):	3	Forensic Download

If you have not received any of the foregoing copies, please contact this office immediately.

Protected information, to-wit: Contact information, personal identifying information and private information, may have been redacted in the provided discovery per Idaho Criminal Rule 16(d). If the Attorney for the Defendant wishes to review this information, please contact the Prosecuting Attorney assigned to handle the case. Please note, in the event the prosecution has no objection to providing unredacted copies of protected information on colored paper, the information shall not be shared with the defendant or the defendant's family without the explicit written consent of the prosecutor assigned to handle the case.

The State reserves the right to call on any witnesses listed in the provided discovery or listed in the underlying police report(s). Further, the State may call the following additional witness(es):

No additional witnesses to disclose at this time.

Further, the State reserves the right to call on any witnesses listed in the provided discovery or listed in any underlying reports or documentation submitted by the defense

Pursuant to Idaho Criminal Rule 16, the Prosecuting Attorney further informs the Defendant that you are permitted to inspect and copy or photograph books, paper, documents, photographs, tangible objects, building or places or copies or portions thereof, which are mentioned or listed in the above-listed documents and which are in the possession, custody or control of the Prosecuting Attorney and which are material to the preparation of the defense, or intended for use by the Prosecutor as evidence at trial, or obtained from or belonging to the Defendant.

The Prosecuting Attorney further informs the Defendant that you are permitted to inspect and copy or photograph any results or reports of physical or mental examinations, and of scientific tests or experiments, made in connection with the particular case, or copies thereof, which are mentioned or listed in the above-listed documents and which are within the possession, custody or control of the Prosecuting Attorney, the existence of which is known or is available to the Prosecuting Attorney by the exercise of due diligence.

Should the State become aware of additional material or information subject to disclosure, the State will notify the defendant pursuant to ICR 16.

DATED this 13<sup>th</sup> day of August, 2013.



Shane Greenbank, ISB# 7845  
Chief Deputy Prosecutor

#### **CERTIFICATE OF SERVICE**

I hereby certify that on the 13<sup>th</sup> day of August, 2013, I caused to be served true and correct copies of the foregoing document as follows:

Court File - Original

Janet Whitney - Copy  
Attorney for Defendant

Copy served via: Courthouse Mail



Tara Walker, Legal Assistant

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

COURT MINUTES

JUDGE: JOHN P. LUSTER  
REPORTER: NANCY TOWLER  
CLERK: CHERIE MOORE  
DIVISION: DISTRICT

CASE NO. CR-2013-0003524/CR-2013-0003324  
DATE: 08/19/2013 TIME: 09:00 AM  
CTRM: 1

STATE OF IDAHO

vs. JODIE MARIE DILL (EDWARDS)

Plaintiff / Petitioner

Defendant / Respondent

Atty: SHANE GREENBANK

Atty: JANET WHITNEY

SUBJECT OF PROCEEDINGS: ARRAIGNMENT

INDEX	SPEAKER	PHASE OF CASE
9:28	J	<b>Calls Case</b>
		<b>Present:</b> DEFENDANT, JANET WHITNEY, SHANE GREENBANK
	J	[9:04-9:07 – ROLL CALL, CITES RIGHTS, POTENTIAL PENALTIES] – DO YOU HAVE ANY QUESTIONS?
	DEF	YES
	J	DO YOU HAVE THE INFORMATION IN FRONT OF YOU?
	DEF	YES
	J	IS JODY MARIE DILL YOUR TRUE AND CORRECT NAME?
	DEF	YES
	J	[CITES CHARGE, POTENTIAL PENALTIES, FINE] – DO YOU UNDERSTAND THE NATURE OF THE CHARGE?
	DEF	YES
	J	WILL YOUR CLIENT WAIVE THE READING OF THE INFORMATION?
	JW	SHE WILL WAIVE
	J	HOW DOES YOUR CLIENT PLEAD?
	JW	NOT GUILTY
	J	HOW MANY DAYS?
	SG/JW	<b>3 DAYS</b>
	J	<b>SET FOR TRIAL DECEMBER 9<sup>TH</sup> AT 9:00 AM – PRETRIAL CONFERENCE DECEMBER 2<sup>ND</sup> AT 3:00 PM</b>
9:31	END	



CLERK OF DISTRICT COURT  
COUNTY OF BONNER  
IDAHO  
2013 SEP -9 A. 9 28  
CLERK OF DISTRICT COURT  
cm

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

STATE OF IDAHO	)	
Plaintiff,	)	Case No.: CR-2013-0003324
vs.	)	Consolidated With
	)	Case No.: CR-2013-0003524
Jodie Marie Dill	)	
Defendant.	)	<b>NOTICE OF TRIAL AND</b>
	)	<b>PRETRIAL ORDER</b>
DOB: [REDACTED]	)	
DL: [REDACTED]	)	
	)	
	)	
	)	
	)	

Upon arraignment the Defendant pled not guilty in response to the criminal allegations of the Information; NOW THEREFORE:

IT IS HEREBY ORDERED that a trial and pretrial conference are set as follows:

1. **Three-Day Jury Trial**      **Monday, December 09, 2013 @ 09:00 AM**  
    **Judge:**                      **Barbara A. Buchanan**
2. That any pretrial motions governed by Rule 12 I.C.R. shall be filed not later than  
    **5:00 p.m., September 19, 2013.**
3. A pretrial conference will be held before the trial date:

**Pretrial Conference**      **Monday, December 02, 2013 @ 03:00 PM**  
**Judge:**                      **Barbara A. Buchanan**

**Alternate Presiding Judges for Trial and Pretrial Conference:** John P. Luster, Fred M. Gibler, John T. Mitchell, Lansing Haynes, Benjamin Simpson, George Reinhardt, III, Charles Hosack, Jeff Brudie, Carl Kerrick, Michael Griffin, John Stegner, Steve Verby, Rich Christensen

The Defendant and Counsel for the Parties shall attend the trial and pretrial conference.

4. The defendant is ordered to be present at all hearings. Failure to be present at a hearing will result in an arrest warrant being issued for the defendant and may result in a resetting of the trial date.
5. Pursuant to Idaho Criminal Rule 30(b), no later than five (5) days before the beginning of this jury trial, the parties are to file written requests that the court instruct the jury on the law as set forth in the request. In other words, any requested jury instructions are to be submitted five (5) days before the trial begins.

DATED this 9 day of September, 2013.



---

**BARBARA BUCHANAN**  
**DISTRICT JUDGE**

## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Notice of Trial and Pretrial Order was mailed, postage prepaid, emailed, faxed, or sent by interoffice mail this 9th day of September, 2013, to:

Shane L. Greenbank  
Chief Deputy Prosecuting Attorney  
Courthouse Mail  
Sandpoint, ID 83864

Janet K. Whitney  
Chief Public Defender  
Courthouse Mail  
Sandpoint, ID 83864



Deputy Clerk

cc: Jury Commissioner  
Bailiff  
Cherie

BONNER COUNTY PUBLIC DEFENDER  
JANET K. WHITNEY, ISBN: (6624)  
406 Ella Street  
Sandpoint, Idaho 83864  
Phone: (208) 255-7889; Fax: (208) 255-7559

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

STATE OF IDAHO,	)	
	)	
Plaintiff,	)	CASE NUMBERS CR-13-0003324
v.	)	CR-13-0003524
	)	MOTION TO SUPPRESS;
JODIE M. EDWARDS,	)	NOTICE OF HEARING
	)	
Defendant.	)	
_____	)	

COMES NOW the above-named defendant by and through his attorney of record, Janet K. Whitney, Chief Deputy Public Defender, and hereby moves this Honorable Court for an Order suppressing any and all evidence gathered against the above-named defendant including all statements made by the defendant, the observations made by the officers involved with the defendant before, during and after the stop, and any evidence seized subsequent to the stop.

The evidence must be suppressed because the warrantless stop and arrest by the officers was unlawful and without legal justification, therefore in violation of the Fourth Amendment of the United States Constitution and Article I, section 17 of the Idaho Constitution. Idaho's Article I section 17 provides greater protection than the Fourth Amendment based upon our unique Constitution, our long-standing jurisprudence and the uniqueness of our State.

**NOTICE OF HEARING**

Defendant's Motion to Suppress shall be called on for hearing on November 7, at the

MOTION TO SUPPRESS;  
NOTICE OF HEARING

Page -1-

0087

hour of 2:00 p.m., or as soon thereafter as counsel may be heard in from of the Honorable  
Barbara Buchanan.

DATED this 20th of September, 2013.

OFFICE OF THE BONNER  
COUNTY PUBLIC DEFENDER

BY: Janet Whitney  
JANET K. WHITNEY  
CHIEF DEPUTY PUBLIC DEFENDER

**CERTIFICATE OF DELIVERY**

I hereby certify that a true and correct copy of the foregoing was personally served by  
placing a copy of the same in the interoffice mailbox or as otherwise indicated on the 20th day of  
September, 2013, addressed to:

Bonner County Prosecutor

fax

CMK

STATE OF IDAHO  
COUNTY OF BONNER  
FIRST JUDICIAL DIST.

**BONNER COUNTY PROSECUTING ATTORNEY**

127 S. First Avenue  
Sandpoint, ID 83864  
(208) 263-6714  
(208) 263-6726 (facsimile)

2013 SEP 30 PM 1 49

CLERK DISTRICT COURT

DEPUTY

**ORIGINAL**

*Assigned Prosecutor:*  
**Shane Greenbank**

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

**STATE OF IDAHO**

Plaintiff,

v.

**JODIE MARIE EDWARDS  
(aka: JODIE MARIE DILL),**

Defendant.

**Case NO: CR-2013-3324  
CR-2013-3524**

**STATE'S RESPONSE TO  
DEFENDANT'S MOTION TO  
SUPPRESS**

**COMES NOW**, Shane Greenbank, Chief Deputy Prosecuting Attorney for Bonner County, Idaho, and hereby responds to the Defendant's Motion to Suppress and Memorandum in Support of Defendant's Motion to Suppress as follows.

**I. STATEMENT OF FACTS**

The State intends to illicit the following testimony from Bonner County Sheriff's Deputy Alex Hughes at the hearing for this matter:

On July 4, 2013 at approximately 9:00 p.m., Deputy Alex Hughes stopped a white, 1992 Chevrolet pickup truck being driven on Highway 41, in Bonner County, Idaho. The truck did

not have any mudflaps, in violation of Idaho Code §49-949. The driver, and sole occupant, was identified as Jodie Marie Dill, the defendant herein.

The deputy advised Dill of the basis for the stop and retrieved her driver's license. The return from dispatch revealed that Dill had an outstanding and extradictable arrest warrant. Deputy Hughes removed Dill from the vehicle and placed her under arrest and Mirandized her. Deputy Penn conducted an inventory search of the vehicle for impound purposes, and during the search located 6 bags of Methamphetamine in 3 different locations, a small amount of Marijuana, and a Meth pipe. The pending charges followed.

## II. ARGUMENT

### **Deputy Hughes Had Reasonable Suspicion That The Defendant's Vehicle Was Being Driven With Illegal Mud Flaps, a Violation of Idaho Code § 49-949, Therefore the Stop of the Vehicle Was Lawful.**

The United States Supreme Court has acknowledges that right of police officers to stop and question an individual absent sufficient probable cause to make an arrest. Terry v. Ohio, 392 U.S. 1, 21-22 (1968). A traffic stop by an officer constitutes a seizure of the vehicle's occupants and therefore implicates the protection against unreasonable searches and seizures provided by the Fourth Amendment to the United States Constitution, as applied to the States via the Fourteenth Amendment. Deleware v. Prouse, 440 U.S. 648, 654 (1979). When a police officer has "a reasonable and articulable suspicion that the vehicle is being driven contrary to traffic laws or the occupant is subject to detention in connection with a violation of other laws" he may stop the vehicle to investigate for possible illegal activity. State v. Flowers, 131 Idaho 205, 208, 953 P.2d 645, 648 (Ct. App. 1998). The reasonableness of the officer's suspicion must be evaluated upon the totality of the circumstances at the time of the stop. State v. Ferreira, 133 Idaho 474, 483, 988 P.2d 700, 709 (Ct. App. 1999). It is important to note that "an officer must

have reasonable suspicion of criminal activity before a traffic stop is initiated, not after.” State v. Salois, 144 Idaho 344, 348, 160 P.3d 1279, 1283 (Ct.App. 2007).

In this case, Deputy Hughes had a reasonable suspicion that Dill’s vehicle was being driven in violation of Idaho Code §49-949, and therefore his stop was lawful.

Idaho Code §49-949 states as follows:

(1) **It shall be unlawful for any person to operate or move or any owner to permit to be operated or moved, any motor vehicle, truck, bus, semitrailer or trailer, upon any highway without having the vehicle equipped with fenders or covers which may include flaps or splash aprons, over and to the rear of wheels, as follows:**

(a) **On the rear wheels of every truck equipped with a body, bus, trailer or semitrailer the fenders or covers shall extend in full width from a point above and forward of the center of the tires over and to the rear of the wheels to a point that is not more than ten (10) inches above the surface of the highway when the vehicle is empty;**

(b) Behind the rear wheels of *every truck not equipped with a body* the fenders or covers shall extend downward in full width from a point not lower than halfway between the center of the wheels and the top of the tires on the wheels to a point that is not more than ten (10) inches above the surface of the highway when the vehicle is empty;

(c) Behind all wheels of *every motor vehicle other than trucks*, buses, semitrailers, or trailers, the fenders or covers shall extend in full width from a point above and forward of the center of the tire over and to the rear of the wheel to a point that is not more than twenty (20) inches above the surface of the highway, unless the bumper is a factory built bumper fastened directly to the frame of the vehicle pursuant to factory installation requirements;

(d) Fenders or covers are not required on any modified American-made *pre-1935 vehicle*, or any identifiable vintage or replica thereof that is titled as a later assembled vehicle or replica and is used for show and pleasure use when such vehicle is used and driven only during fair weather on well-maintained hard-surfaced roads.

(2) Fenders or covers, as used in subsection (1) of this section, shall be deemed to be of sufficient size and construction as to comply with those requirements if constructed as follows:



- (a) When measured on the cross sections of the tread of the wheel or on the combined cross sections of the treads of multiple wheels, the fender or cover extends at least to each side of the width of the tire or of the combined width of the multiple tires, as the case may be;
- (b) The fender or cover is constructed as to be capable at all times of arresting and deflecting dirt, mud, water, or other substance as may be picked up and carried by wheels;
- (c) For school buses if the body extension behind the rear wheels exceeds five (5) feet.

I.C. §49-949 (emphasis added).

“Truck” is defined in Idaho Code section §49-121(10), which states as follows:

(10) “Truck” means:

- (a) Refuse/sanitation. Any vehicle designed and used solely for the purpose of transporting refuse.
- (b) General. Every motor vehicle exceeding eight thousand (8,000) pounds gross weight designed, used or maintained primarily for the transportation of property.
- (c) **Pickup truck. Every motor vehicle eight thousand (8,000) pounds gross weight or less which is designed, used or maintained primarily for the transportation of property.**
- (d) Truck camper. A portable unit constructed to provide temporary living quarters for recreational, travel or camping use, consisting of a roof, floor, and sides, designed to be loaded onto and unloaded from the bed of a pickup truck, and containing at least one (1) of the following facilities: stove; refrigerator or icebox; self-contained toilet; heater or air conditioner; potable water supply including a faucet and sink; separate 110-125 volt electrical power supply; or LP-gas supply. Truck campers originally constructed with an overall length of six (6) feet or longer shall be titled as provided in chapter 5 of this title 49. A truck camper does not include pickup hoods, shells or canopies.
- (e) Truck tractor. Every motor vehicle designed and used primarily for drawing other vehicles but not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

I.C. §49-121(10). (emphasis added).

Idaho Code §49-949 is clear and unambiguous. First District Judge Brudie has held that I.C. §49-949 is clear and unambiguous, affirming the decision of a magistrate judge in Bonner County case CR-2011-347, a case with similar facts, where an officer stopped a pickup truck that had no mudflaps or coverings. Unpublished Order filed by Judge Brudie on September 10, 2012, State v. Perez. Further, First District Judge Buchanan has also found in written memorandum decision, dated 20 September 2013, that “the language of I.C. §49-949 is unambiguous”. See State v. Cooke, Bonner County case CR-2013-1527 & CR-2013-1528.

Where the language of the statute is plain and unambiguous, courts give effect to the statute as written, without engaging in statutory construction. Stonebrook Construction, LLC v. Chase Home Finance, LLC., 152 Idaho 927, 931 (2012). “The interpretation of a statute ‘must begin with the literal words of the statute; those words must be given their plain, usual, and ordinary meaning; and the statute must be construed as a whole.’” Verska v. St. Alphonsus Regional Medical Center, 151 Idaho 889, 893 (2011) (quoting State v. Schwartz, 139 Idaho 360, 362 (2003)). If the statute is not ambiguous, this Court does not construe it, but simply follows the law as written. Id. Differing opinions from two courts would not necessarily make the statute ambiguous. Ada County Prosecuting Attorney v. 2007 Legendary Motorcycle, 154 Idaho 351 (2013).

The statute is clear and unambiguous, thus the Court is bound to give effect to the statute as it is written, without engaging in statutory construction. Idaho Code §49-949 sets out four categories of vehicles to which its requirements apply: 1) trucks with a body, 2) trucks without a body, 3) other motor vehicles, and 4) pre-1935 American made vehicles. Evidence admitted at the hearing will show that the pickup in this case falls squarely under subsection (1)(a).

### III. CONCLUSION

Deputy Hughes' traffic stop of Dill was in compliance with the Fourth Amendment's privacy protections because Deputy Hughes had reasonable and articulable suspicion that Dill was driving a vehicle which was not in compliance with Idaho's mud flaps law. Based on Deputy Hughes' lawful stop and detention of Dill, the State respectfully requests that the Defendant's Motion to Suppress be DENIED.

DATED this 27th day of September, 2013.

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**SHANE GREENBANK**  
Chief Deputy Prosecuting Attorney

### CERTIFICATE OF DELIVERY

I hereby certify that on the 27th day of September, 2013, I caused to be delivered a true and correct copy of the foregoing document as addressed to the following:

Janet Whitney  
Bonner County Public Defender  
406 S. Ella  
Sandpoint, ID 83864  
Fax: 265-7559

---

Tara Walker, Legal Secretary

State of IDAHO  
Bonner County Sheriff's Office  
Civil Division  
4001 N. Boyer Ave.  
Sandpoint, ID 83864

STATE OF IDAHO  
COUNTY OF BONNER  
FIRST JUDICIAL DIST.

2013 OCT 17 AM 9 27

CLERK OF DISTRICT COURT

DEPUTY

Defendant

Disposition:

Jodie Marie Edwards  
Transiant/PO Box 958

Newport, WA 99156

Witness

Disposition: PER Personal Service

Alexander Raymond Hughes

379 Diamond Heights Rd Oldtown, ID 83822

Served on: 15th day of October, 2013 by Jay, P

Served to: Alex Hughes

()

201 E 4th St N; Ben Frank Oldtown, ID 83822

Plaintiff

Disposition:

State of Idaho

Process Number: C13-01822

Court Number: CR13-3324/CR13-3524

I, Daryl D Wheeler, Sheriff of Bonner County Sheriff's Office do hereby certify that I received the foregoing Criminal Subpoena on the 23rd day of September, 2013.

Dated the 16th day of October, 2013

Fees:

Service: 0.00  
Mileage: 0.00  
Other : 0.00  
Total : 0.00

Daryl D Wheeler, Sheriff  
Bonner County Sheriff's Office, IDAHO

BY: Jenni Washburn  
Authorized Representative  
Civil Division

Comments

91:4 0810Z 8Z 87

BONNER COUNTY PUBLIC DEFENDER  
 JANET K. WHITNEY, ISBN 6624  
 406 South Ella Street  
 Sandpoint, Idaho 83864  
 Phone: (208) 255-7889; Fax: (208) 255-7559

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
 STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

STATE OF IDAHO,	)	
Plaintiff,	)	
	)	CASE NUMBERS CR-13-0003324,
V.	)	CR-13-0003524
	)	
JODIE M. EDWARDS	)	
AKA JODIE M. DILL,	)	SUBPOENA
	)	
Defendant.	)	

TO: DEPUTY ALEX HUGHES - BONNER COUNTY SHERIFF'S OFFICE  
 4001 NORTH BOYER AVENUE, SANDPOINT, IDAHO 83864

- MOTION TO SUPPRESS - (BCSO INCIDENT NUMBER 13-011950)

YOU ARE HEREBY COMMANDED that laying aside all excuses, you appear in the District Court of the First Judicial District of the State of Idaho, in and for the County of Bonner, in Sandpoint, Idaho, to be held at the Bonner County Courthouse, 215 South First Avenue, Sandpoint, Idaho, on November 7, 2013, at the hour of 2:00 p.m. as a witness in the above-entitled matter.

YOU ARE FURTHER NOTIFIED THAT IF YOU FAIL TO APPEAR AT THE PLACE AND TIME SPECIFIED ABOVE, YOU MAY BE HELD IN CONTEMPT OF COURT AND THE AGGRIEVED PARTY MAY RECOVER FROM YOU THE SUM OF ONE HUNDRED DOLLARS (\$100.00) AND ALL DAMAGES WHICH S/HE MAY SUSTAIN BY YOUR FAILURE TO ATTEND AS A WITNESS.

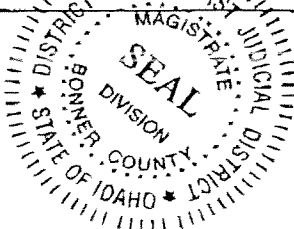
GIVEN UNDER MY HAND THIS 23rd of September, 2013

Please call the Public Defender's office at (208) 255-7889 upon receipt of this subpoena to schedule the time for your appearance as a witness in this matter.

R. ANN DUTSON-SATER  
 CLERK OF THE DISTRICT COURT

BY: Ann Dutton-Sater  
 Deputy Clerk

SUBPOENA



0096

**BONNER COUNTY PROSECUTING ATTORNEY**

127 S. First Avenue  
Sandpoint, ID 83864  
(208) 263-6714  
(208) 263-6726 (facsimile)

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF  
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER****STATE OF IDAHO**

Plaintiff,

v.

**JODIE MARIE EDWARDS  
aka JODIE MARIE DILL,**

Defendant.

Case NO: **CR-2013-3324**  
**CR-2013-3524****STIPULATIONS FOR  
HEARING ON  
DEFENDANT'S MOTION  
TO SUPPRESS****STIPULATIONS**

All parties involved in these cases hereby make the following stipulations for the purpose of the Defendants' Motions to Suppress:

On July 4, 2013 at approximately 9:00 p.m., Sheriff's Deputy Alex Hughes stopped a white, 1992 Chevrolet pickup truck being driven on Highway 41, in Bonner County, Idaho. The basis of the stop was an equipment violation, to-wit: the truck did not have any mud flaps, in violation of Idaho Code §49-949. The driver, and sole occupant, was identified as Jodie Marie Edwards, also known as Jodie Marie Dill, the defendant herein.

The deputy advised Edwards/Dill of the basis for the stop and lawfully retrieved her driver's license. The return from dispatch revealed that Dill had an

outstanding and extradictable arrest warrant. Deputy Hughes removed Edwards/Dill from the vehicle and placed her under arrest and Mirandized her. Sheriff's Deputy Penn lawfully conducted an inventory search of the vehicle for impound purposes and during the search located 24.5 grams of Methamphetamine in 3 different locations, a small amount of Marijuana, and a Methamphetamine pipe.

The pickup truck in this matter is equipped with a body and it is a motor vehicle eight thousand (8,000) pounds gross weight or less which is designed, used or maintained primarily for the transportation of property.

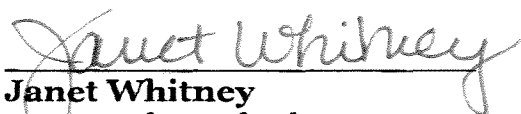
The pickup truck in this matter did not have any mudflaps or splash aprons behind the rear wheels.

The lowest point of the pickup bed behind the rear wheels is in 20 inches or more from the ground.

RESPECTFULLY SUBMITTED this 5 day of November, 2013.



**Shane Greenbank**  
Deputy Prosecuting Attorney  
ISB# 7845



**Janet Whitney**  
Attorney for Defendant  
ISB# 6624

**BONNER COUNTY PUBLIC DEFENDER**

JANET K. WHITNEY, ISBN 6624

406 South Ella Street

Sandpoint, Idaho 83864

Phone: (208) 255-7889; Fax: (208) 255-7559

CLERK OF DISTRICT COURT  
JANET K. WHITNEY  
2013-03-08 10:07

CLERK OF DISTRICT COURT

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

STATE OF IDAHO,

Plaintiff,

V.

JODIE MARIE EDWARDS,  
AKA JODIE MARIE DILL

Defendant.

CASE NUMBER CR-2013-0003324

BRIEF IN SUPPORT OF  
DEFENDANT'S MOTION TO  
SUPPRESS

COMES NOW the above-named defendant by and through her attorney of record, Janet K Whitney, Public Defender, and hereby moves this Honorable Court for an Order suppressing any and all evidence gathered against the above-named defendant including all statements made by the defendant, the observations made by the officers involved with the defendant before, during and after the stop, and any evidence seized after the stop.

The evidence must be suppressed because the warrantless stop and arrest by the officers was unlawful and without legal justification, therefore in violation of the Fourth Amendment of the United States Constitution and Article I, section 17 of the Idaho Constitution. The Idaho Constitution Article I, section 17 affords Idaho's citizens greater protections than its federal counterpart. Idaho's Article I section 17 provides greater protection than the Fourth Amendment based upon our unique Constitution, our long-standing jurisprudence and the uniqueness of our



State.

### **STATEMENT OF FACTS**

On July 4, 2013, at approximately 9:00 p.m. (2100 hours), Sheriff's Deputy, Alex Hughes (hereinafter, Hughes) observed a white 1992 Chevy pick up truck with license plate 7BG1684 turning northbound on Highway 41 from Marion Street in Bonner County, Idaho. Bonner County Sheriff Deputy Report p. 3. Hughes conducted a traffic stop, making contact with the driver, Jodie M. Edwards (hereinafter, Edwards) also known as Jodie Marie Dill. Bonner County Sheriff Deputy Report p. 3. Hughes' incident report indicates that he stopped Edwards vehicle for a mud flap violation as her truck had no mud flaps and was approximately 20 inches off the ground. Bonner County Sheriff Deputy Report p. 3.

After running wants and warrants, Hughes found that Edwards was wanted on a warrant out of the state of Idaho. Hughes placed Edwards under arrest for the warrant and searched her incident to arrest, finding nothing. Bonner County Sheriff Deputy Report p. 3. Deputy Justin Penn searched Edward's vehicle during an inventory search prior to tow. Bonner County Sheriff Deputy Report p. 3. Inside a brown corduroy bag he found methamphetamine. Bonner County Sheriff Deputy Report p. 3. Edwards was arrested for possession of controlled substance, in violation of Idaho Code § 37-27329(c)(1). Bonner County Sheriff Deputy Report p. 3.

### **QUESTION PRESENTED**

- I. DID EDWARD'S VEHICLE VIOLATE IDAHO CODE SECTION 49-949 AND IF NOT, DID HUGHES LACK REASONABLE ARTICULABLE SUSPICION FOR THE STOP?**

## SHORT ANSWER

- I. **EDWARD'S VEHICLE DID NOT VIOLATE IDAHO CODE SECTION 49-949. HER PICK UP TRUCK HAD FENDERS OR COVERS THAT WERE CONSTRUCTED AS TO BE CAPABLE AT ALL TIMES OF ARRESTING AND DEFLECTING DIRT, MUD, WATER, OR OTHER SUBSTANCES THAT MAY BE PICKED UP AND CARRIED BY WHEELS IN COMPLIANCE WITH IDAHO CODE 49-949(2). FURTHERMORE, HER VEHICLE IS A FORD PICK UP TRUCK THAT HAS A FACTORY BUILT BUMPER FASTENED DIRECTLY TO THE FRAME OF THE VEHICLE PURSUANT TO FACTORY INSTALLATION REQUIREMENTS, BRINGING IT INTO COMPLIANCE WITH SUBSECTION 1. THEREFORE, THERE WAS NO VIOLATION OF IDAHO CODE SECTION 49-949.**

## ARGUMENT

Ms. Edwards asserts that Deputy Hughes did not have reasonable, articulable suspicion to stop her vehicle for a violation of Idaho Code § 49-949.<sup>1</sup> Edwards maintains that Idaho Code § 49-949 (2) sets out specifications that would render the fender covers on his vehicle in compliance with subsection (1). Furthermore, Edwards argues that his truck has a factory built bumper that is fastened directly to the frame of the vehicle pursuant to factory installation requirements which places his truck in compliance with both subsection (1) and (2) of Idaho Code § 49-949.

The Fourth Amendment prohibits unreasonable searches and seizures and applies to the

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<sup>1</sup> After a denial of a motion to suppress in magistrate court involving a similar violation of Idaho Code § 49-949 in State v. Perez, CR-11-0000347, the Public Defender's office appealed the denial of that motion to the district court on October 5, 2011. The appeal was assigned by the Administrative District Judge for the First District, John T. Mitchell, to the Honorable John R. Stegner, Administrative District Judge for the Second Judicial District, for further proceedings on January 23, 2012. The Honorable Jeff Brudie was assigned to preside over any further proceedings on January 25, 2012. After submission of briefs by Appellant and Respondent and telephonic oral argument, Judge Brudie denied the Perez motion in an Opinion and Order filed September 10, 2012. In that opinion, Judge Brudie held that the Idaho Code § 49-949 was clear and unambiguous (citing Idaho Code § 49-121((10)© and the Defendant's vehicle was in violation of Idaho Code § 49-949. Thus the stop of the vehicle was lawful.

seizure of persons through detentions falling short of arrest. *State v. Gutierrez*, 137 Idaho 647, 650, 51 P.3d 461, 464 (Ct.App. 2002); *United States v. Brignoni-Ponce*, 422 U.S. 873, 878, 95 S.Ct. 2574, 2578, 45 L.Ed.2d 607, 614 (1975); *Terry v. Ohio*, 382 U.S. 1, 16, 88 S.Ct. 1868, 1877, 10 L.Ed.2d 889, 902 (1968). The stop of a vehicle is a seizure of its occupants and is subject to Fourth Amendment standards. *Id.*; *United States v. Cortez*, 449 U.S. 411, 417, 101 S.Ct. 690, 694, 66 L.Ed.2d 621, 628 (1981); *Delaware v. Prouse*, 440 U.S. 648, 653-54, 99 S.Ct. 1391, 1395-96, 59 L.Ed.2d 660, 667-68 (1979); *State v. Haworth*, 106 Idaho 405, 406, 679 P.2d 1123, 1124 (1984). A traffic stop by an officer constitutes a seizure of the occupants, and thus implicates the Fourth Amendment's prohibition against unreasonable searches and seizures. *State v. Roe*, 140 Idaho 176, 90 P.3d 926, 930 (Ct.App.2004). Under the Fourth Amendment, an officer may stop a vehicle to investigate possible criminal behavior if he has a reasonable, articulable suspicion that the vehicle is being driven contrary to traffic laws. *Id.* Reasonableness is evaluated upon the totality of the circumstances at the time of the stop. *Id.* Article 1, Section 17 of the Idaho Constitution is virtually identical to the Fourth Amendment and mirrors its protections. *State v. Ramos*, 142 Idaho 628, 130 P.3d 1166 (Ct. App. 2005).

**I. DID EDWARD'S VEHICLE VIOLATE IDAHO CODE SECTION 49-949 AND IF NOT, DID HUGHES LACK REASONABLE ARTICULABLE SUSPICION FOR THE STOP?**

Edwards argues that his truck was not violation of Idaho Code § 49-949, and therefore Moore did not and could not have had reasonable, articulable suspicion that the vehicle was being driven contrary to traffic laws. Idaho Code section 49-949 provides as follows:

**49-949. Requirement as to fender or covers over all wheels on motor vehicles.**— (1) It shall be unlawful for any person to operate or move or any owner to permit to be operated or moved, any motor vehicle, truck, bus, semitrailer or trailer, upon any highway without having the vehicle equipped with fenders or covers which may include flaps or splash aprons, over and to the rear of wheels, as follows:

(a) On the rear wheels of every truck equipped with a body, bus, trailer or semitrailer the fenders or covers shall extend in full width from a point above or forward of the center of the tires over and to the rear of the wheels to a point that is not more than ten (10) inches above the surface of the highway when the vehicle is empty;

(b) Behind the rear wheels of every truck not equipped with a body the fenders or covers downward in full width from a point not lower than halfway between the center of the wheels and the top of the tires on the wheels to a point that is not more than ten (10) inches above the surface of the highway when the vehicle is empty;

(c) Behind all wheels of every motor vehicle other than trucks, buses, semitrailers, or trailers, the fenders or covers shall extend in full width from a point above and forward of the center of the tire not more than twenty (20) inches above the surface of the highway, unless the bumper is a factory built bumper fastened directly to the frame of the vehicle pursuant to factory installation requirements;

(d) Fenders or covers are not required on any modified American-made pre-1935 vehicle, or any identifiable vintage or replica thereof that is titled as a later assembled vehicle or replica and is used for show and pleasure use when such vehicle is used and driven only during fair weather on well-maintained hard-surfaced roads.

(2) Fenders or covers, as used in subsection (1) of this section, shall be deemed to be of sufficient size and construction as to comply with those requirements if constructed as follows:

(a) When measured on the cross sections of the tread of the wheel or on the combined cross sections of the tread of multiple wheels, the fender or cover extends at least to each side of the width of the tire or of the combined width of the multiple tires, as the case may confuse;

(b) The fender or cover is constructed as to be capable at all times of arresting and deflecting dirt, mud, water, or other substance as may be picked up and carried by wheels;

(c) For school buses if the body extension behind the rear wheels exceeds five (5) feet.

(Emphasis added.)

Idaho Code § 49-949.

First of all, Idaho Code § 49-949 is not a model of clarity in its language. It can be surmised, however, that the purpose behind Idaho Code § 49-949 is to minimize the throwing of dirt, mud, snow, water, gravel or other debris from the wheels of trucks, buses and motor vehicles. It is important to note that Idaho Code § 49-949 does not require mud flaps but rather states that vehicle must be equipped with “fenders or covers which may include flaps or splash aprons.” Subsection (1) does indicate that it is unlawful for a person to operate a vehicle which is not equipped with fenders or covers and then lists certain specifications in (a), (b), ©, and (d). Subsection (2) sets out specifications that would render the fenders or covers in compliance with subsection (1). The fenders or covers are in compliance with subsection (1) if when measured on the cross sections of the tread of the wheel or on the combined cross sections of the tread of multiple wheels, the fender or cover extends at least to each side of the width of the tire or of the combined width of the multiple tires. The fenders or covers are also in compliance if the fender or cover is constructed as to be capable at all times of arresting and deflecting dirt, mud, water, or other substance as may be picked up and carried by wheels. Lastly, school buses are in compliance if the body extension behind the rear wheels exceeds five (5) feet.

Idaho Code § 49-949 is open to several interpretations. Usually, a court’s interpretation of a statute begins with an examination of the statute’s literal words. *Stonebrook Construction, LLC. v. Chase Home Finance, LLC*. 152 Idaho 927, 931, 277 P.3d 374, 378 (2012). Where the language of the statute is plain and unambiguous, courts give effect to the statute as written, without engaging in statutory construction. *Id.* citing *Curlee v. Kootenai Cnty. Fire & Rescue*, 148 Idaho 391, 398, 224 P.3d 458, 465 (2008). Only where the language is ambiguous will a court look to rules of construction for guidance and consider the reasonableness of proposed

interpretations. *Id.* A statute “is ambiguous where reasonable minds might differ or be uncertain as to its meaning.” *Id.* citing *Payette River Prop. Owners Ass’n v. Bd. of Comm’rs of Valley Cnty.*, 132 Idaho 551, 557, 976 P.2d 477, 483 (1999) (citing *Ada Cnty. v. Gibson*, 126 Idaho 854, 856, 893 P.2d 801, 803 (Ct.App.1995)). Ambiguity is not established simply because parties present differing interpretations to the court. *Id.* In the event that a Court is required to engage in statutory construction, it may ascertain legislative intent from the statute’s context, the public policy in support of the statute, and the statute’s legislative history. *Pioneer Irrigation District v. City of Caldwell*, 153 Idaho 593, 597, 288 P.3d 810, 814 (2012). Ambiguous statutes are construed in favor of a defendant. *State v. Martinez*, 126 Idaho 801, 891 P.2d 1061 (Ct.App. 1995).

In reading the statute as a whole, it clearly appears that subsection (2) sets out items of compliance rather than non-compliance which are addressed in subsection (1). However, it is also unclear which subsection in subsection (1) applies to pick up trucks or whether factory built pick up trucks are excluded from subsection (1) if they have a factory built bumper that is fastened directly to the frame pursuant to factory installation requirements. This ambiguousness allows arbitrary and selective enforcement of the law by law enforcement.

Edwards argues that the statute was originally enacted to minimize the throwing of dirt, mud, snow, water, gravel or other debris from the wheels of motor vehicles onto other vehicles back in the 1950's. He also points out that since the mid-1990s more and more vehicles on the road are pickup trucks, SUVs, and four-wheel drive vehicles of all types utilized for transportation in addition to hauling property.

If one looks at the legislative record of the statute, in 1997 the Legislature, recognizing

there were more and more four wheel drive vehicles on the road, proposed to modify the existing law relating to requirements for a fender or covers on motor vehicles and to provide an exemption for a bumper that is a factory built bumper fastened directly to the frame of the vehicle pursuant to factory installation requirements. (Exhibit "A", Legislation in House of Representatives, House Bill No. 270 by the Transportation and Defense Committee.) In section (1)(c) they added the phrase "unless the bumper is a factory built bumper fastened to the frame of the vehicle pursuant to factory installation requirements." The purpose behind the legislation was to "legalize[] bumper height for four-wheel drive vehicles that are factory installed." (Exhibit "B", Statement of Purpose RS069934, Bill 270). On February 10, 1997, Representative Chuck Cuddy spoke in front of the House in support of this bill. (Exhibit "C", House Transportation and Defense Committee Meeting Minutes.) The minutes state:

He noted that standards are not consistent for legal bumper height in **trucks**, and that even factory installed bumpers on brand new trucks can be illegal under the current law. He asked that owners not be penalized after buying a new vehicle with a bumper that might be considered illegal.

On March 13, 1997, Representative Cuddy addressed the Senate (Exhibit "D", Senate Transportation Committee Minutes.) He testified:

...that the height of the bumper on 4 x 4 **trucks** is 20 ½" while a bumper on a Geo is 16". This legislation requires that heights be 20" unless installed by the factory.

The bill was passed by voice vote and sent to both floors for enactment. (Exhibit "C", House Transportation and Defense Committee Meeting Minutes. Exhibit "D", Senate Transportation Committee Minutes.) It was enacted in 1997.

Clearly the legislative intent was to legalize factory installed bumpers fastened directly to the frame of the vehicle pursuant to factory installation requirements for trucks, SUVs, and all

four-wheel drive vehicles. The Legislature did not seem concerned with the language in subsection (1)© that states “other than trucks” as they were excluding from violation of the statute vehicles with factory built bumpers fastened directly to the frame of the vehicle pursuant to factory installation requirements. This would include Edwards’s Toyota pick up truck because it contained a factory built bumper fastened directly to the frame pursuant to factory installation requirements. Personal use pickup trucks are *not* required to have mud flaps, fenders, covers, or aprons that are ten (10) inches off the ground. Thus, Mr. Edwards’s vehicle did not violate Idaho Code § 49-949 under either subsection.

Therefore, according to Idaho Code § 49-949, Moore did not have reasonable, articulable suspicion to stop Mr. Edwards’s vehicle for a violation of Idaho Code § 49-949. All evidence found as a result of the stop and subsequent search of Edwards’s vehicle and person must be suppressed because the search violated Edwards’s constitutional rights to be free from unreasonable searches and seizures under the United State’s Constitution and Idaho’s Constitution. The evidence thus obtained must be suppressed.

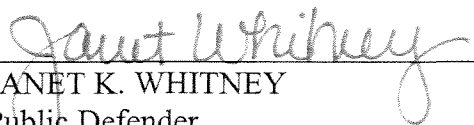
### **CONCLUSION**

Edwards respectfully asks this Court for an order suppressing all evidence obtained before, during, and after the warrantless stop of his vehicle. Deputy Hughes did not have reasonable articulable suspicion that Edwards’s vehicle was being driven contrary to traffic laws. Idaho Code § 49-949 (2) sets out specifications that would render the fender covers on Edwards’s vehicle in compliance with subsection (1). Furthermore, Edwards’s truck has a factory built bumper that is fastened directly to the frame of the vehicle pursuant to factory installation requirements which places his truck in compliance with both subsection (1) and (2) of Idaho



Code § 49-949.

Respectfully submitted this 5 day of November, 2013.

  
\_\_\_\_\_  
JANET K. WHITNEY  
Public Defender

**CERTIFICATE OF SERVICE**

I hereby certify that on this 5 of November, 2013, a true and correct copy of the Brief in Support of Defendant's Motion to Suppress was served as follows:

Shane Greenbank  
Bonner County Prosecutor  
Courthouse Mail

  
\_\_\_\_\_

2013 OCT -3 P 1:34

CLERK DISTRICT COURT

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE STATE OF  
IDAHO, IN AND FOR THE COUNTY OF BONNER**

**STATE OF IDAHO,**

**Plaintiff,**

**vs.**

**JODIE MARIE DILL aka  
JODIE MARIE EDWARDS,**

**Defendant.**

**CASE NO. CR-2013-0003324  
CR-2013-0003524**

**MEMORANDUM DECISION  
AND ORDER re: DEFENDANT'S  
MOTION TO SUPPRESS**

Because the defendant's vehicle is a pickup truck by definition and failed to meet the requirements of Idaho Code § 49-949(1)(a), the officer had reasonable articulable suspicion to make the stop and the stop was lawful. Therefore, the motion to suppress is denied.

THIS MATTER is before the Court on Defendant's Motion to Suppress, which was filed on September 20, 2013. Defendant Jodie Marie Dill, aka Jodie Marie Edwards, is represented by Bonner County Public Defender Janet K. Whitney. The State of Idaho is represented by Bonner County Chief Deputy Prosecuting Attorney Shane Greenbank.

**I. FACTS<sup>1</sup>**

On July 4, 2013, at approximately 9:00 p.m., Sheriff's Deputy Alex Hughes stopped a white 1992 Chevrolet pickup truck being driven on Highway 41, in Bonner County, Idaho. The

<sup>1</sup> The prosecution and defense stipulated to these facts on November 5, 2013. *See Stipulations for Hearing on Defendant's Motion to Suppress* (filed on November 5, 2013).

basis of the stop was an equipment violation, to-wit: the truck did not have any mud flaps, in violation of Idaho Code § 49-949. The driver, and sole occupant, was identified as Jodie Marie Dill, also known as Jodie Marie Edwards, the defendant herein.

The deputy advised Dill of the basis for the stop and lawfully retrieved her driver's license. The return from Dispatch revealed that Dill had an outstanding and extraditable arrest warrant. Deputy Hughes removed Dill from the vehicle and placed her under arrest and Mirandized her. Sheriff's Deputy Penn lawfully conducted an inventory search of the vehicle for impound purposes and during the search located 24.5 grams of Methamphetamine in three different locations, a small amount of Marijuana, and a Methamphetamine pipe.

Dill's pickup truck is equipped with a body and is a motor vehicle of 8,000 pounds gross weight or less, which is designed, used, or maintained primarily for the transportation of property. The pickup truck did not have any mud flaps or splash aprons behind the rear wheels. The lowest point of the pickup bed behind the rear wheels is 20 inches or more from the ground.

## **II. ISSUE PRESENTED**

In her Motion to Suppress, Dill raises the following issue:

### **A. Did Dill's vehicle violate Idaho Code § 49-949, and if not, did Deputy Hughes lack reasonable articulable suspicion for the stop?**

Dill argues that her vehicle did not violate Idaho Code § 49-949, because her pickup truck had fenders or covers that were constructed as to be capable at all times of arresting and deflecting dirt, mud, water, or other substances that may be picked up and carried by wheels, in compliance with Idaho Code § 49-949(2). Further, her vehicle is a Ford pickup truck that has a factory built bumper fastened directly to the frame of the vehicle pursuant to factory installation requirements, bringing it into compliance with subsection (1) of the statute. Dill contends,

therefore, that Hughes did not have a reasonable articulable suspicion to stop her for a violation of Idaho Code § 49-949. Dill requests that all evidence found as a result of the stop and subsequent search of her vehicle be suppressed, because the search violated her rights under the Fourth Amendment to the U.S. Constitution and Article I, § 17 of the Idaho Constitution.

### III. STANDARD OF REVIEW

In *State v. Martinez-Gonzalez*, 152 Idaho 775, 275 P.3d 1 (Ct. App. 2012), the Idaho Court of Appeals set forth the standard of review for a motion to suppress:

**The standard of review of a suppression motion is bifurcated. When a decision on a motion to suppress is challenged, we accept the trial court's findings of fact unless they are clearly erroneous, but we freely review the application of constitutional principles to the facts as found.** *State v. Willoughby*, 147 Idaho 482, 485–86, 211 P.3d 91, 94–95 (2009); *State v. Fees*, 140 Idaho 81, 84, 90 P.3d 306, 309 (2004). **At a suppression hearing, the power to assess the credibility of witnesses, resolve factual conflicts, weigh evidence, and draw factual inferences is vested in the trial court.** *State v. Valdez-Molina*, 127 Idaho 102, 106, 897 P.2d 993, 997 (1995); *State v. Schevers*, 132 Idaho 786, 789, 979 P.2d 659, 662 (Ct.App.1999).

*Id.* at 778, 275 P.3d at 4. (Emphasis supplied).

### IV. DISCUSSION

#### A. The Defendant's Vehicle Was Required to Comply with Idaho Code § 49-949(1)(a).

Idaho Code § 49-949, which sets forth the requirement as to fenders or covers over all wheels on motor vehicles, provides:

(1) It shall be unlawful for any person to operate or move or any owner to permit to be operated or moved, any motor vehicle, truck, bus, semitrailer or trailer, upon any highway without having the vehicle equipped with fenders or covers which may include flaps or splash aprons, over and to the rear of wheels, as follows:

(a) On the rear wheels of **every truck equipped with a body**, bus, trailer or semitrailer the fenders or covers shall extend in full width from a point above and forward of the center of the tires over and to the rear of the wheels to a point that

is not more than ten (10) inches above the surface of the highway when the vehicle is empty;

(b) Behind the rear wheels of **every truck not equipped with a body** the fenders or covers shall extend downward in full width from a point not lower than halfway between the center of the wheels and the top of the tires on the wheels to a point that is not more than ten (10) inches above the surface of the highway when the vehicle is empty;

(c) Behind all wheels of **every motor vehicle other than trucks**, buses, semitrailers, or trailers, the fenders or covers shall extend in full width from a point above and forward of the center of the tire over and to the rear of the wheel to a point that is not more than twenty (20) inches above the surface of the highway, **unless the bumper is a factory built bumper fastened directly to the frame of the vehicle pursuant to factory installation requirements;**

(d) Fenders or covers are not required on any modified American-made pre-1935 vehicle, or any identifiable vintage or replica thereof that is titled as a later assembled vehicle or replica and is used for show and pleasure use when such vehicle is used and driven only during fair weather on well-maintained hard-surfaced roads.

(2) Fenders or covers, as used in subsection (1) of this section, shall be deemed to be of sufficient size and construction as to comply with those requirements if constructed as follows:

(a) When measured on the cross sections of the tread of the wheel or on the combined cross sections of the treads of multiple wheels, the fender or cover extends at least to each side of the width of the tire or of the combined width of the multiple tires, as the case may be;

(b) The fender or cover is constructed as to be capable at all times of arresting and deflecting dirt, mud, water, or other substance as may be picked up and carried by wheels;

(c) For school buses if the body extension behind the rear wheels exceeds five (5) feet.

I.C. § 49-949. (Emphasis supplied).

Idaho Code § 49-949 sets out four categories of vehicles to which its requirements apply:

(1) trucks equipped with a body, (2) trucks not equipped with a body, (3) every motor vehicle other than trucks, and (4) any modified American-made pre-1935 vehicle, or any identifiable

vintage or replica thereof. Dill argues that her truck should fall under subsection (1)(c) of the statute, which she contends excludes from violation of the statute vehicles with factory built bumpers fastened directly to the frame of the vehicle pursuant to factory installation requirements. Dill's argument, however, ignores the plain language of subsection (1)(c) which excepts trucks from that subsection.

The Court finds that the language of Idaho Code § 49-949 is unambiguous. Subsection (1)(a) of the statute applies to pickup trucks; subsection (1)(c) does not. Subsection (1)(c) expressly states that it applies to "every motor vehicle other than trucks ..." I.C. § 49-949(c). "Truck" is defined in Idaho Code § 49-121(10), as follows:

"Truck" means:

(a) Refuse/sanitation. Any vehicle designed and used solely for the purpose of transporting refuse.

(b) General. Every motor vehicle exceeding eight thousand (8,000) pounds gross weight designed, used or maintained primarily for the transportation of property.

**(c) Pickup truck. Every motor vehicle eight thousand (8,000) pounds gross weight or less which is designed, used or maintained primarily for the transportation of property.**

(d) Truck camper. A portable unit constructed to provide temporary living quarters for recreational, travel or camping use, consisting of a roof, floor, and sides, designed to be loaded onto and unloaded from the bed of a pickup truck, and containing at least one (1) of the following facilities: stove; refrigerator or icebox; self-contained toilet; heater or air conditioner; potable water supply including a faucet and sink; separate 110-125 volt electrical power supply; or LP-gas supply. Truck campers originally constructed with an overall length of six (6) feet or longer shall be titled as provided in chapter 5 of this title 49. A truck camper does not include pickup hoods, shells or canopies.

(e) Truck tractor. Every motor vehicle designed and used primarily for drawing other vehicles but not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

I.C. § 49-121(10). (Emphasis supplied).

Dill's vehicle is a pickup truck by definition, and was equipped with a body. Thus, it must meet the requirements of Idaho Code § 49-949(1)(a) and must have covers or mud flaps as wide as the tire width and not more than 10 inches from the ground. Subsection (1)(c) of the statute is unambiguous in its application to "every motor vehicle other than trucks," and therefore, has no application to this case involving a truck.

Additionally, Dill argues that her vehicle did not violate Idaho Code § 49-949 because her pickup truck was equipped with fenders that were "constructed as to be capable at all times of arresting and deflecting dirt, mud, water, or other substances that may be picked up and carried by wheels," in compliance with Idaho Code § 49-949(2)(b). Dill asserts that "Idaho Code § 49-949(2) sets out specifications that would render the fenders [or] covers in compliance with subsection (1)." *Brief in Support of Defendant's Motion to Suppress* (November 5, 2013), at 10. Apparently, the defense is arguing that if a vehicle has any type of fenders or covers, it is in compliance with the statute. The defense has, however, presented no legal authority showing that subsection (2) of the statute supersedes subsection (1). Therefore, this Court will not make a finding that Dill's vehicle complied with Idaho Code § 49-949 simply because it was equipped with fenders.

**B. Deputy Hughes Possessed Reasonable Articulate Suspicion For The Stop.**

In *State v. Morgan*, 154 Idaho 109, 294 P.3d 1121 (2013), the Idaho Supreme Court stated:

Traffic stops constitute seizures under the Fourth Amendment." *State v. Henage*, 143 Idaho 655, 658, 152 P.3d 16, 19 (2007). **Limited investigatory detentions are permissible when justified by an officer's reasonable articulable suspicion that a person has committed, or is about to commit, a crime.** *State v. Bishop*, 146 Idaho 804, 811, 203 P.3d 1203, 1210 (2009). **"Reasonable suspicion**

**must be based on specific, articulable facts and the rational inferences that can be drawn from those facts.”** *Id.* Reasonable suspicion requires more than a mere hunch or “inchoate and unparticularized suspicion.” *Id.* (quoting *United States v. Sokolow*, 490 U.S. 1, 7, 109 S.Ct. 1581, 1585, 104 L.Ed.2d 1, 10 (1989)). **The test for reasonable suspicion is based on the totality of the circumstances known to the officer at or before the time of the stop. *Id.***

*Id.* at ---, 294 P.3d at 1124. (Emphasis supplied).

Upon consideration of Hughes’ sworn statements regarding the stop in his Probable Cause Affidavit, filed on July 5, 2013, together with the briefs of the parties, this Court finds, based on the totality of circumstances known to the officer at or before the time of the stop, that Hughes had reasonable articulable suspicion to make the stop. Therefore, the stop was lawful.

#### **V. CONCLUSION AND ORDER**

NOW, THEREFORE, for the foregoing reasons, IT IS HEREBY ORDERED THAT Defendant’s Motion to Suppress is DENIED.

IT IS SO ORDERED.

DATED this 8 day of November, 2013.

A handwritten signature in black ink, appearing to read 'Barbara Buchanan', is written over a horizontal line.

**Barbara Buchanan  
District Judge**



sentence.

12 12. If you plead guilty to the offense or offenses charged, you give up and waive any defenses that you might have and you waive any defects that might exist in the State's case.

13 13. If you plead guilty, there will be no trial, there will be no jury, there will be no witnesses called concerning guilt or innocence, and the State will not have to prove anything in your case.

14 14. If you plead guilty:

- a) You give up the presumption of innocence.
- b) You give up and waive your constitutional right to a jury trial.
- c) You give up and waive your right to confront your accusers and cross examine witnesses called against you on the issue of guilt or innocence.
- d) You give up and waive your right to compulsory self-incrimination on a plea of guilty hearing.
- e) You give up the right to offer testimony and evidence on your own behalf in opposition to the State's case on the issue of guilt or innocence.
- f) You give up and waive: your right to challenge any search and seizure involved in your case, your right to challenge the method or manner of your arrest, and your right to challenge whether any statements you made to law enforcement can be used against you.
- g) You will be admitting the truth of each and every allegation in the charge to which you plead guilty.
- h) You may be required to testify under oath concerning the facts of the alleged offense and other matters so the court can determine if your plea of guilty is made voluntarily and with an understanding of the consequences of entering the plea of guilty and so that the judge can determine if there is a factual basis for the plea. If the court does not accept your plea of guilty or if you withdraw the plea of guilty, any statements that you have made during questioning may be used against you in other court proceedings.
- i) You may be required to reimburse court costs and may be required to pay restitution to

Victims  
Law enforcement agencies

**State drug labs**

In addition, you may be required to pay for the cost of prosecution and for defense.

- j) If you are a United States citizen, you will also lose certain citizenship rights if you are convicted of a felony.
- k) If you are not a United States citizen, your ability to live and/or work in the United States will be changed.
- l) If you are convicted of three or more felonies, the court may be required to impose an enhanced sentence. The enhanced sentence would carry a minimum five year period of incarceration and could be as severe as life imprisonment.

512 15. **Plea bargains.** You, your attorney, and the state may agree that the state will recommend that you receive a certain sentence. **The judge does not have to follow the state's recommendation about your sentence.** If the judge sentences you to something other than what the state recommends, you cannot then withdraw your guilty plea and ask for a trial. Nobody can promise you what your sentence will be except the judge. The judge can sentence you to the maximum penalty allowed by law.

512 16. If you have been sentenced for another crime, or are sentenced for more than one crime in this case, your sentences could be consecutive or concurrent. If the sentences are concurrent, you would serve them all at the same time. If they are consecutive, you would serve each sentence separately, one after the other.

512 17. You have the right to appeal any conviction or sentence of the District Court to the Idaho Supreme Court. The appeal must be filed within forty-two (42) days after the judgment of conviction is entered and filed. If you cannot afford to hire a lawyer for the appeal, one will be provided at public expense. Further, the payment of the costs on appeal will be at public expense if you are a needy person.

512 18. You are informed that if the name which appears on the indictment or information is not your true name, you must declare your true name or this case will be prosecuted against you using the name in the indictment or information.

**IF YOU HAVE ANY QUESTIONS, SPEAK UP WHEN YOU ARE IN COURT.**

**NOBODY, INCLUDING YOUR ATTORNEY, CAN FORCE YOU TO PLEAD GUILTY. IF YOU PLEAD GUILTY, IT MUST BE ENTIRELY YOUR OWN DECISION.**

**PLEASE ANSWER EACH OF THE FOLLOWING QUESTIONS BY CHECKING THE BOX MARKED "YES" OR "NO" OR FILL IN THE SPACE FOLLOWING THE QUESTION.**

Married: Yes ☒ No ☐

1. a) What is the highest grade of schooling you have completed? 11<sup>th</sup>  
b) Do you have a High School Diploma, a GED, or High School Equivalency? Yes ☒ No ☐
2. Do you read and understand the English Language? Yes ☒ No ☐
3. a) Have you ever been treated or counseled for a mental illness or disorder? Yes ☐ No ☒  
b) If yes, please explain \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
c) Are you at this time receiving treatment for the same? Yes ☐ No ☒  
When were you last treated or counseled? \_\_\_\_\_  
\_\_\_\_\_
4. Are you presently addicted to the use of alcohol or drugs? Yes ☐ No ☒
5. a) Have you taken any alcohol, drug or medication within the last 48 hours? Yes ☐ No ☒  
b) If your answer is yes, state the last time you took such alcohol, drugs, or medication, and what it was that you took \_\_\_\_\_  
\_\_\_\_\_  
c) If your answer is yes, are you unable, as a result of taking such alcohol, drugs, or medication, to understand these questions, or to understand the information given to you by your attorney or by the Court? Yes ☐ No ☒
6. a) Have you been prescribed medication that you should be taking but are not taking at this time? Yes ☐ No ☒  
b) If so, what kind and for what purpose? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
7. Do you understand what was written on the first four pages of this form? Yes ☒ No ☐
8. Do you have any questions about what was written on the first four pages of this form? Yes ☐ No ☒
9. Do you understand that by pleading guilty, you will give up the rights set forth on the first four pages of this form? Yes ☒ No ☐
10. Have you received a copy of the charges and read the document labeled

- "information" which contains the allegations filed against you? Yes ☒ No ☐
11. Have you been represented by an attorney at all stages of these proceedings? Yes ☐ No ☐
- a) What is your attorney's name? Janet Whitney
- b) Have you had enough time to discuss with your attorney what could happen to you if you plead guilty or are found guilty by a jury? Yes ☒ No ☐
- c) Have you fully discussed all the facts and circumstances surrounding the charges that have been filed against you with your attorney? Yes ☒ No ☐
- d) Has your attorney discussed fully with you the nature of the charges against you, your involvement with the crime, your arrest, the elements of the crime which you committed, any defenses (legal or otherwise) you may have to the charges, and the possible consequences of your guilty plea? Yes ☒ No ☐
- e) Has your attorney discussed your Constitutional and Civil rights with you? Yes ☒ No ☐
- f) Are you satisfied with your attorney's services? Yes ☐ No ☐
- g) In your opinion, have you been adequately and competently represented by your attorney? Yes ☒ No ☐
12. Your attorney can obtain from the prosecutor various items called "discovery." Those items could be police reports, witness statements, tape recordings, photographs, reports of scientific testing, etc.
- a) Have you seen the discovery? Yes ☒ No ☐
- b) Have you been able to discuss and go over the discovery with your attorney? Yes ☒ No ☐
13. Are there any witnesses whose testimony could show that you are innocent? Yes ☐ No ☒
14. Does the state have any evidence against you that you believe was wrongfully obtained? Yes ☒ No ☐
15. Do you believe that you have any defense to the charge(s) against you in this case? Yes ☐ No ☒
16. Have you had enough time to talk with your attorney about your decision to plead guilty? Yes ☒ No ☐
17. Do you have any questions about whether or not you should plead guilty? Yes ☐ No ☒
18. Do you claim any violation of your Constitutional or Civil rights? Yes ☐ No ☒
19. Do you understand that you are charged with a felony or felonies? Yes ☒ No ☐
- a) Do you realize that you may be imprisoned in the State Penitentiary? Yes ☒ No ☐

b) Do you understand that your sentence may be imposed with no right to probation or parole? Yes ☒ No ☐

c) Do you understand that if there is more than one crime charged, that the sentences may be consecutive? Yes ☒ No ☐

20. Do you understand that you have the following Constitutional Rights relating to the crime(s) charged against you?

a) to the presumption that you are innocent, until proven by the State to be guilty beyond a reasonable doubt? Yes ☒ No ☐

b) to a speedy and public trial by jury? Yes ☒ No ☐

c) to a jury trial where the State must convince all jurors of your guilt as to each element of the crime beyond a reasonable doubt? Yes ☒ No ☐

d) to present evidence in your own behalf? Yes ☒ No ☐

e) to the process of the Court to compel witnesses to attend the trial to testify on your behalf? Yes ☒ No ☐

f) to have your witnesses ordered to appear in Court and testify and present evidence of any defense you have to these charges? Yes ☒ No ☐

g) to remain silent and not to make any statement to the Court or any person (including any law enforcement officer, policeman, or other official) that will incriminate you, or in any way help to prove the charged crime(s) against you? Yes ☒ No ☐

h) to require that all persons who have accused you of a crime appear in Court and be questioned under oath? Yes ☒ No ☐

i) to have the right to see and hear all witnesses called to testify against you and have the right to confront, question, and cross-examine the witnesses? Yes ☒ No ☐

j) to have a lawyer represent you, either one you hire for yourself or, if you are indigent, the court will appoint one for you? Yes ☒ No ☐

21. Has any person (including a law enforcement officer, a policeman, or your attorney) threatened you or done anything to make you enter this plea against your will? Yes ☐ No ☒

22. a) Has any person promised you that you will receive any special sentence, reward, favorable treatment, or leniency with regard to the plea you are about to enter? Yes ☐ No ☒

b) If there is a plea agreement, set forth the terms of the agreement:

SEE ATTACHED PRETRIAL SETTLEMENT OFFER.

23. Do you understand that the only person who can promise you what sentence you will actually receive is the Judge? Yes ☒ No ☐

24. Do you understand that the Judge is not required to follow the sentence recommended by either your attorney or the prosecutor? Yes ☒ No ☐
25. Do you understand that by pleading guilty to a felony, you run the risk that if you have new felony charges in the future, you could be charged as a persistent violator? Yes ☒ No ☐
26. Do you understand that if you are convicted as a persistent violator, the court in that new case could sentence you to an enhanced sentence which could be up to life imprisonment? Yes ☒ No ☐
27. Do you understand that by pleading guilty, you will give up all defenses that you may have to the charge(s)? Yes ☒ No ☐
28. a) Do you understand that you have the right to appeal any final decision of this court and that such appeal must be filed within forty-two (42) days after the judgment of conviction is entered and filed? Yes ☒ No ☐
- b) Do you understand that a lawyer will be provided for you on appeal if you are a needy person and that you will not have to pay for your lawyer or the costs on appeal if you are indigent? Yes ☒ No ☐
29. Are you a citizen of the United States of America? Yes ☒ No ☐  
(If you answered yes to the previous question, go to question 30)
- a) If you answered no to the above question, do you understand that that a consequence of your plea(s) of Guilty in this case is your deportation and exclusion from the United States? Yes ☐ No ☐
- b) Do you understand that if you are deported or excluded from the United States, and you chose to re-enter the United States, you could be charged with a new felony? Yes ☐ No ☐
- c) Do you understand that another consequence of your plea(s) of Guilty in this case is possible denial of naturalization to become a citizen of the United States? Yes ☐ No ☐
- d) If you answered no to being a citizen of the United States, are you a lawful permanent resident of the United States? Yes ☐ No ☐
- e) If you answered yes to the previous "permanent resident" question, do you understand that your plea(s) of Guilty in this case may result in the loss of your status as a lawful permanent resident of the United States? Yes ☒ No ☐
30. By pleading guilty to a felony, as a citizen of the United States, do you understand each of the following happens?
- a) You lose your right to be on a jury? Yes ☒ No ☐

- b) You lose your right to possess or purchase a firearm? Yes ☒ No ☐
- c) If you possess a firearm while being charged with a felony or after having been convicted of a felony, you may be charged with a new felony? Yes ☒ No ☐
- d) You lose your right to vote in local, state, and federal elections? Yes ☒ No ☐
- e) You lose the right to hold public office? Yes ☒ No ☐
- f) If you are convicted of another felony, the punishment you receive may be more severe? Yes ☒ No ☐
31. Do you admit the truth of the charge(s) against you as stated in the Prosecuting Attorney's Information? Yes ☐ No ☒
32. Do you disagree with any statement in the Prosecuting Attorney's Information? Yes ☒ No ☒
33. Is this a *North Carolina v. Alford* Guilty Plea?  
If your answer is yes, please complete and sign the additional "Alford Plea" form. Yes ☒ No ☐
34. Would you rather go to trial than plead guilty? Yes ☐ No ☒
35. Do you understand the crime(s) and the nature of the offense(s) you are charged with committing? Yes ☒ No ☐
36. Do you believe that you are guilty of the crime(s) to which you are pleading guilty? Yes ☐ No ☒
39. Are you pleading guilty of your own free will? Yes ☒ No ☐
41. Is the decision to plead guilty based upon facts that you know are true? Yes ☐ No ☒
42. Do you understand that once you plead guilty, you cannot simply change your mind and withdraw your plea of guilty? Yes ☒ No ☐
43. Do you admit that you are guilty of the acts and conduct charged in the Information? Yes ☐ No ☒
44. Have you instructed your attorney not to raise any defense(s) as to your involvement in, or whether you committed this crime(s)? Yes ☒ No ☐
45. Are you pleading GUILTY to the crime(s) freely and voluntarily? Yes ☒ No ☐

46. Do you understand you are now charged with:

Case No.	Count	Crime	Statute
CR-13-3324	I	POSSESS METH	I.C. 37-2732(c)(1), 18-306

 Yes ☒ No ☐

47. Do you understand the range of punishment for the crime(s) charged is/are:

Case No.	Count		
CR-13-3324	I	UP to 7 years and/or a fine up to \$15,000	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

48. I waive the requirement that the information or indictment be read to me in open court.

Yes ☐ No ☒

49. I plead guilty to the crime(s) of:

Case No.	Count	Crime	Statute
CR-13-3324	I	POSSESS METH	I.C. 37-2732(c)(1), 18-306

 Yes ☒ No ☐

50. I understand the maximum period of incarceration and fine for those crime(s) I plead guilty to are:

Case No.	Count		
CR-13-3324	I	UP to 7 years and/or a fine up to \$15,000	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

51. I am pleading guilty because: Although I no I am not guilty, I was during the trial that supposedly had items I was not aware of that are illegal.

52. Are there any questions on this form that you did not understand? Yes ☐ No ☒

53. Have you answered all questions on this Questionnaire truthfully and of your own free will?

Yes ☒ No ☐

54. Is it still your desire to enter a guilty plea at this time?

Yes ☒ No ☐

55. Do you swear under penalty of perjury that your answers to these questions are true and correct?

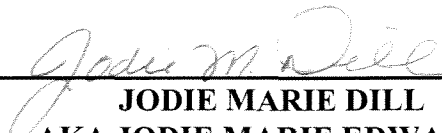
Yes ☒ No ☐

I hereby certify truly, under penalty of perjury, that I have read or my lawyer has read to me all information contained in this document and that I have answered the questions on pages 4, 5, 6, 7, 8, 9, 10 and 11 of this Questionnaire truthfully, that I understand all of the questions and answers herein, that I have discussed each question and answer with my attorney, and that I have completed this Questionnaire freely and voluntarily. I also state that no one has threatened me to make me do so. My initials next to each paragraph on pages one




through four show that I have read those pages and/or my lawyer has read them to me, answered any questions I have, and discussed them with me.

Dated this 17<sup>th</sup> day of December, 2013.

  
\_\_\_\_\_  
**JODIE MARIE DILL**  
**AKA JODIE MARIE EDWARDS**

I hereby represent to the court that I have discussed, in detail, the foregoing questions and answers with my client and that I concur in my client's decision to plead guilty.

  
\_\_\_\_\_  
**JANET K. WHITNEY**

12.13.13  
1142 9

State of Idaho v. JODIE M. DILL AKA JODIE M. EDWARDS

Case No. CR-13-0003324

**ACKNOWLEDGEMENT OF ALFORD PLEA**

**NOTICE: DEFENDANT MUST READ AND INITIAL EACH PARAGRAPH**

JD 1. I understand that a defendant may plead guilty to a felony charge, even though he/she either claims to be innocent of the charge, or does not admit to all of the elements of such charge. This is known as a *North Carolina v. Alford* guilty plea.

JD 2. In order for the court to accept a guilty plea, pursuant to the decision of the United States Supreme Court in *North Carolina v. Alford*, 400 U.S. 25 (1970), I understand that the Court must make the following findings:

JD a. That there exists a strong factual basis to support the guilty plea;

JD b. That the defendant's guilty plea is voluntarily, knowingly and understandingly made;

JD c. That the defendant understands the elements of the charge, the potential defenses and his/her right against self-incrimination; and

JD d. That the defendant is aware of the consequences of his/her guilty plea and the rights that are waived by such guilty plea.

JD 3. When the Court accepts a guilty plea, pursuant to *North Carolina v. Alford*, a defendant must understand that the Court will treat the defendant as though he/she were in fact guilty of all the elements of such felony offense. The Court will not accept a guilty plea, pursuant to *North Carolina v. Alford*, unless the court record reflects that the guilty plea was voluntary, and was also an intelligent choice among the alternatives available to the defendant.

JD 4. I consent that the judgment be entered against me, without a trial of any kind, even though I do not admit that I committed all of the elements of the offense to which I plead guilty. I further recognize that the Court, upon entry of this plea, will make a finding that I am guilty.

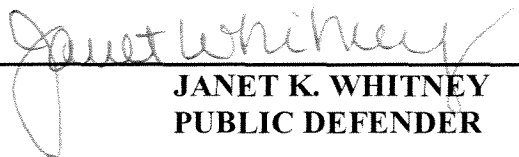
12 5. In signing this form, I hereby attest and acknowledge that I have discussed my guilty plea, pursuant to *North Carolina v. Alford*, with my attorney and that I fully understand this type of guilty plea and the consequences which result.

Dated this 17<sup>th</sup> day of December, 2013.

  
\_\_\_\_\_  
Jodie M. Dill, aka Jodie M. Edwards

I hereby attest and acknowledge that I have fully discussed a guilty plea, pursuant to *North Carolina v. Alford*, with the above named defendant.

Dated this 17 day of day of December, 2013.

  
\_\_\_\_\_  
JANET K. WHITNEY  
PUBLIC DEFENDER

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF  
THE STATE OF IDAHO IN AND FOR THE COUNTY OF BONNER

STATE OF IDAHO

VS.

Case No.: CR-2013-3324

## PRETRIAL SETTLEMENT AGREEMENT

JODIE MARIE DILL  
aka JODIE MARIE EDWARDS,

OFFER EXPIRES 14 days after Prelim date  
or other ( )

The State offers that in exchange for the Defendant's guilty plea(s) to:

Count	Charge	Statutory Maximum Penalty
I	UNLAWFUL POSSESSION OF A CONTROLLED SUBSTANCE (METHAMPHETAMINE)	7 years prison / \$15,000 fine

And Defendant's agreement to:

- ☒ Waive rights to appeal conviction and sentence (as described below).
- ☒ Other agreements: Waive Preliminary Hearing.
- ☒ Pay restitution: \$100 to ISP Lab.


It will agree and recommend as follows:

- ☒ Sentence recommendation: Suspended Prison; Local Jail only (30 days); Probation; Substance Abuse Evaluation and compliance with treatment recommendations; Open recommendations as to any remaining sentencing considerations.
- ☒ To dismiss: Any associated and consolidated misdemeanor offenses.
- ☒ Other: DEFENDANT IS FREE TO MAKE SEPARATE RECOMMENDATIONS.

NOTE: THE STATE'S SENTENCE RECOMMENDATION IS CONDITIONED UPON NO FTAs (INCLUDING PRE-SENTENCE INTERVIEW) AND NO NEW CRIMINAL LAW VIOLATIONS BEFORE THE DATE OF SENTENCING

Dated: 17 July 2013  
Shane Greenbank, Chief Deputy Prosecuting Attorney

☒ BY SIGNING BELOW, I SIGNIFY THAT I ACCEPT THE ABOVE PRETRIAL SETTLEMENT OFFER AND IN CONSIDERATION THEREOF DO KNOWINGLY AND VOLUNTARILY HEREBY WAIVE THE FOLLOWING RIGHTS:

1. ~~The right to appeal the conviction.~~ 
2. The right to appeal sentence (except to the extent the term of actual incarceration or the fine is greater than is recommended herein).

  
DEFENDANT12/17/2013  
DATE  
DEFENDANT'S ATTORNEY12/17/13  
DATE

BONNER COUNTY PUBLIC DEFENDER  
Janet K. Whitney (ISBN: 6624)  
406 South Ella Street  
Sandpoint, Idaho 83864  
Phone: (208) 255-7889; Fax: (208) 255-7559

1172 12.17.13 9  
h

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

STATE OF IDAHO,

Plaintiff,

V.

JOODIE MARIE DILL


Defendant.

CASE NUMBER CR-13-0003324

ORDER

Based upon the Stipulation of the parties, and the approval of the Court,  
IT IS HEREBY ORDERED that the Defendant be allowed to enter a Conditional Plea in the  
above-referenced matter.

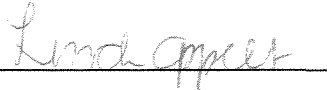
DATED this 17 day of December, 2013.

  
BARBARA BUCHANAN  
DISTRICT JUDGE

CLERK'S CERTIFICATE

I hereby certify that a true and correct copy of the foregoing was personally served by placing a copy  
of the same in the interoffice mailbox on the 27 day of December, 2013 addressed to:

Bonner County Public Defender > Faxed  
Bonner County Prosecutor



CONDITIONAL PLEA

Page 1

0136

ORIGINAL OF THIS DOCUMENT TO IDOC

Assigned to: 121713

First Judicial District Court, State of Idaho  
In and For the County of Bonner

STATE OF IDAHO  
Plaintiff,  
vs.

Jodie Marie Dill  
PO Box 958  
Newport, WA 99156

ORDER FOR PRE-SENTENCE INVESTIGATION  
REPORT

Case No: CR-2013-0003324

CHARGE(s):

137-2732(c)(1) F Controlled Substance-Possession of

ROA : PSI01-Order for Presentence Investigation Report  
PSMH1- Order for Presentence Investigation Report and Mental  
Health Assessment  
PSSA1- Order for Presentence Investigation Report and  
Substance Abuse Assessment

On this Tuesday, December 17, 2013, a **Pre-sentence Investigation Report** was ordered by the Honorable Barbara A. Buchanan to be completed for Court appearance on:

**02/18/13 @ 2:30 pm at the above stated courthouse.**

☐ Behavioral Health Assessments waived by the Court

☒ Waiver under IC §19-2524 2 (e) allowing assessment and treatment services by the same person or facility

Other non- §19-2524 evaluations/examinations ordered for use with the PSI:

☐ Sex Offender ☐ Domestic Violence ☐ Other \_\_\_\_\_ Evaluator: \_\_\_\_\_

PLEA AGREEMENT: State recommendation

WHJ ☐ JOC ☐ Probation ☐ PD Reimb ☐ Fine ☐ ACJ ☐ Restitution ☐ Other: \_\_\_\_\_

DEFENSE COUNSEL: Janet K. Whitney

PROSECUTOR: Shane L. Greenbank

THE DEFENDANT IS IN CUSTODY: ☐ YES ☒ NO If yes where: \_\_\_\_\_

DO YOU NEED AN INTERPRETER? ☒ NO ☐ YES if yes, what is the language? \_\_\_\_\_

Date: 12/17/13 Signature: Barbara Buchanan

Judge

Probation + Parole -  
e-mailed 12.24.13 & appeal

0137

CLERK OF DISTRICT COURT  
BONNER COUNTY  
CR 2013-0003324  
FEB 14

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

STATE OF IDAHO,	)	
	)	Case No. CR 2013-0003324
Plaintiff,	)	
	)	BENCH WARRANT
vs.	)	(Felony)
	)	
JODIE MARIE DILL,	)	
DOB: [REDACTED]	)	
SSN: [REDACTED]	)	
	)	
Defendant.	)	
_____	)	

TO: Any Sheriff, Deputy Sheriff or Police Officer:

You are hereby commanded and directed to arrest JODIE MARIE DILL, the above-named Defendant, Social Security [REDACTED] date of birth [REDACTED] to return the Defendant to the jurisdiction of this Court, and bring the Defendant before this Court.

Said Bench Warrant is issued upon a Request for Bench Warrant dated February 3, 2014, submitted by the Department of Corrections of the State of Idaho, Division of Probation and Parole, alleging that the defendant in the above-entitled matter has failed to contact the Probation and Parole office and submit a completed questionnaire in violation of the court's order.

Said warrant is to be served at any time of the day or night.

BENCH WARRANT - 1.

Bail is set in the amount of \$40,000.00.

**UPON THE POSTING OF BAIL, THE DEFENDANT SHALL NOT BE RELEASED UNTIL A COURT APPEARANCE DATE AND TIME HAS BEEN SET, AND THE DEFENDANT ACKNOWLEDGES IN WRITING THAT HE HAS BEEN ADVISED OF SUCH DATE AND TIME.**

**THE DEFENDANT IS ORDERED TO BE PRESENT AT ALL COURT HEARINGS AND TRIALS IN THIS CASE AND TO BE AWARE OF THE TIME AND DATE OF ALL SUCH HEARINGS AND/OR TRIALS.**

DATED this 5 day of February, 2014.



Barbara Buchanan  
District Judge

**RETURN OF SERVICE**

I HEREBY CERTIFY that I received the within Warrant on the \_\_\_\_ day of \_\_\_\_\_, 2014, and served the same by arresting JODIE MARIE DILL and bringing him into Court this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Sheriff

\_\_\_\_\_  
Deputy

**BENCH WARRANT - 2.**





# IDAHO DEPARTMENT OF CORRECTION

C.J. "BUTCH" OTTER  
GOVERNOR

BRENT REINKE  
DIRECTOR

February 3, 2014

## REQUEST FOR BENCH WARRANT

Honorable Barbara Buchanan  
Judge, First Judicial District  
Bonner County Courthouse  
Sandpoint, ID 83864

**RE: JODI MARIE DILL**

SSN: [REDACTED]  
DOB: [REDACTED]  
IDOC: ID00158171/FBI: 18997LA1

CASE No. CR-F13-3324

Honorable Judge : Buchanan

A Presentence Investigation report (PSI) has been ordered for the above case and is due to the Court on or before (7 days prior to sentencing date). At the time of this writing, the above-named Defendant, who was released from jail OR who entered a guilty plea on 12/17/2013, has:

- (1) Failed to appear in person at the Probation and Parole Office as directed within 24 hours of release from jail to submit current contact information and receive a PSI appointment date and time.
- (2) Failed to submit to this office a completed Pre-Sentence Investigation Questionnaire (PSIQ).
- (3) Failed to contact this investigator by any means, to facilitate the timely completion of the court-ordered presentence report. The Defendant's sentencing is scheduled for February 19, 2014.

It is respectfully requested that a warrant be issued for the Defendant's arrest. Once notified that the Defendant is in custody, I will obtain a completed PSIQ from the Defendant, schedule a presentence interview, and prepare the Defendant's Presentence Report for submission by the rescheduled due date determined by the court.

Respectfully submitted,

Ryan McMorris,  
Presentence Investigator

Approved by,

Tammy Douglas,  
Section Supervisor

Cc: Prosecuting Attorney, Mr. Greenbank, Shane  
Defense Attorney, Ms. Whitney, Janet  
File

Jodie M. Dill  
330 MT. Jim Lane  
Newport, WA. 99156  
February 19, 2014

Hon. Barbra A. Buchanan  
1<sup>st</sup>. District Judge  
Bonner County Courts  
215 S. 1<sup>st</sup> Ave.  
Sandpoint Id. 83864

CASE # CR2013-3324

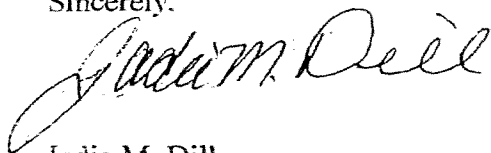
Dear: Mrs. Buchanan.

Although I find it an unpleasant situation for myself as well as all who are involved, I feel that I must bring to your attention a problem I am having concerning a non-compliance charge resulting in a warrant brought to my attention while confirming my court appearance time the morning of 02/18/2014 for sentencing at 2:30 pm., on the same day. Very disturbed and confused to why this was happening, then finding it was at the request of Ryan, your P.S.I. representative.

I am, of course, disagreeing as I in fact complied in returning said packet by mail on time living in Newport Washington I felt at ease knowing it was take in care of , and told Ryan that as we spoke before the new year. Although, his attitude towards me and inappropriate comments about me were not called for ,I said so in fact, but putting it all aside, waited for him to contact me for a scheduled one on one, which in fact never happened. I continued to call and keep in touch while constantly was only able to leave messages and reliable phone contacts to reach me as my personal phone was discontinued to financial reasons as the arresting officers had taken my hard earned money that was to cover my bills that were coming up and to cover me through the winter months ahead that being 700.00 in cash that I had been paid for hard work and had just received the day of the arrest.

However, concerning the matter of the warrants and getting this all behind me, so I can get back to trying to survive and steady work that awaits me, I am hoping this matter will be taken to a resolving point to where we can perhaps all be on the same page and go forth without punishing me for things that are not so. Being put at a standstill is making matters very tough for me not to mention, I feel I am being targeted for reasons unknown and feel I deserve to be treated fairly as one would expect to be by the standards of the law. Thanking you for your valuable time,

Sincerely,



Jodie M. Dill

cc: Janet Whitney  
Shane Greenbank

COURT  
MAIL

(2-26-14) J. Green  
0141



# IDAHO DEPARTMENT OF CORRECTION

C.L. "BUTCH" OTTER  
GOVERNOR

*JAS*  
BRENT REINKE  
DIRECTOR

February 25, 2014

Honorable Barbara A. Buchanan  
First, Judicial District  
Bonner County Courthouse  
127 S. First Ave  
Sandpoint, ID 83864

*cm*  
**PSI Attachment**

Dear Judge Buchanan,

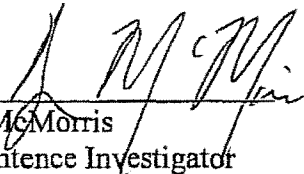
**RE: Dill, Jodie Marie**  
**CASE No.: CR-F13-0003324**


**IDOC #: 110540**

I, Ryan McMorris, A Presentence Investigator for the Idaho Department of Corrections Felony Probation and Parole in District One am responding to a complaint made by Ms. Jodie Marie. Dill (Defendant). As of today, February 25, 2014 this investigator has not received ANY contact from the Defendant. She has not turned in the Court-ordered presentence questionnaire, nor has she attempted to contact this investigator by any means. I attempted to contact the Defendant on January 21, 27 and 28. I attempted to contact the Defendant through the only phone number of record (509) 621-0908 / (509) 671-0908 which she provided on a court document on December 17, 2013, signed by both the Defendant and her attorney, Ms. Janet K. Whitney. I also attempted to contact the Defendant via a telephone number listed in the incident report, (509) 447-3128, which also met with negative results. I contacted the Defendant's attorney, Ms. Janet K. Whitney on January 28 and informed her of the situation. I asked for any contact information for the Defendant, which also met with negative results. On February 25, 2014 I contacted "Stacey", Ms. Janet K. Whitney's assistant and at which time she informed this investigator, she had been in contact with the Defendant; however, she was unable to provide this investigator with a contact number for the Defendant. "Stacey" then told this investigator she would have the Defendant contact me.

In Response to the accusations of this investigator making inappropriate comments and or having a negative attitude towards the Defendant, are completely and entirely false. There is no possibility of this as I, Ryan McMorris, have not spoken with the Defendant. Furthermore, I have had no such complaints lodged against me prior to the Defendant's complaint, nor do I treat any of the Court's referrals with a negative or disrespectful attitude. In response to the Defendant's leaving of messages for this investigator, I have received NONE. The Defendant's letter to the Court is not only untrue, it is reckless and inflammatory. Attached to this letter, is a copy of the bench warrant this investigator originally submitted and continues to request.

Respectfully submitted,

  
Ryan McMorris  
Pre-Sentence Investigator

  
Tammy Douglas  
Section Supervisor

Attachment(s)

C Prosecuting Attorney, Greenabnk, Shane  
Defense Attorney, Whitney, Janet  
File



# IDAHO DEPARTMENT OF CORRECTION

C.J. "BUTCH" OTTER  
GOVERNOR

BRENT REINKE  
DIRECTOR

February 3, 2014

## REQUEST FOR BENCH WARRANT

Honorable Barbara Buchanan  
Judge, First Judicial District  
Bonner County Courthouse  
Sandpoint, ID 83864

RE: JODI MARIE DILL  
SSN: [REDACTED]  
DOB: [REDACTED]  
IDOC: ID00158171/FBI: 18997LA1

CASE No. CR-F13-3324

Honorable Judge : Buchanan

A Presentence Investigation report (PSI) has been ordered for the above case and is due to the Court on or before (7 days prior to sentencing date). At the time of this writing, the above-named Defendant, who was released from jail OR who entered a guilty plea on 12/17/2013, has:

- (1) Failed to appear in person at the Probation and Parole Office as directed within 24 hours of release from jail to submit current contact information and receive a PSI appointment date and time.
- (2) Failed to submit to this office a completed Pre-Sentence Investigation Questionnaire (PSIQ).
- (3) Failed to contact this investigator by any means, to facilitate the timely completion of the court-ordered presentence report. The Defendant's sentencing is scheduled for February 19, 2014.

It is respectfully requested that a warrant be issued for the Defendant's arrest. Once notified that the Defendant is in custody, I will obtain a completed PSIQ from the Defendant, schedule a presentence interview, and prepare the Defendant's Presentence Report for submission by the rescheduled due date determined by the court.

Respectfully submitted,

Ryan McMorris,  
Presentence Investigator

Approved by,

Tammy Douglas,  
Section Supervisor

Cc: Prosecuting Attorney, Mr. Greenbank, Shane  
Defense Attorney, Ms. Whitney, Janet  
File

STATE OF IDAHO  
COUNTY OF BONNER  
FIRST JUDICIAL DIST.

RECEIVED

FEB 06 2014

23811 AD

Bonner County 911

2014 MAR 11 AM 8 44  
ORIGINAL  
CLERK DISTRICT COURT

DEPUTY

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

STATE OF IDAHO,

Plaintiff,

vs.

JODIE MARIE DILL,

DOB: [REDACTED]

SSN: [REDACTED]

Defendant.

Case No. CR 2013-0003324

**BENCH WARRANT**  
**(Felony)**

TO: Any Sheriff, Deputy Sheriff or Police Officer:

You are hereby commanded and directed to arrest JODIE MARIE DILL, the above-named Defendant, Social Security [REDACTED] date of birth [REDACTED] to return the Defendant to the jurisdiction of this Court, and bring the Defendant before this Court.

Said Bench Warrant is issued upon a Request for Bench Warrant dated February 3, 2014, submitted by the Department of Corrections of the State of Idaho, Division of Probation and Parole, alleging that the defendant in the above-entitled matter has failed to contact the Probation and Parole office and submit a completed questionnaire in violation of the court's order.

Said warrant is to be served at any time of the day or night.

**BENCH WARRANT - 1.**

0145

Bail is set in the amount of \$40,000.00.

**UPON THE POSTING OF BAIL, THE DEFENDANT SHALL NOT BE RELEASED UNTIL A COURT APPEARANCE DATE AND TIME HAS BEEN SET, AND THE DEFENDANT ACKNOWLEDGES IN WRITING THAT HE HAS BEEN ADVISED OF SUCH DATE AND TIME.**

**THE DEFENDANT IS ORDERED TO BE PRESENT AT ALL COURT HEARINGS AND TRIALS IN THIS CASE AND TO BE AWARE OF THE TIME AND DATE OF ALL SUCH HEARINGS AND/OR TRIALS.**

DATED this 5 day of February, 2014.




Barbara Buchanan  
District Judge

RETURN OF SERVICE

I HEREBY CERTIFY that I received the within Warrant on the 10 day of MARCH, 2014, and served the same by arresting JODIE MARIE DILL and bringing him into Court this \_\_\_\_ day of \_\_\_\_\_, 2014.

BONNER CSO  
Sheriff

  
Deputy

BENCH WARRANT - 2.

## NOTIFICATION OF RIGHTS

STATE OF IDAHO  
County of Bonner  
FILED  
AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M.  
CLERK OF THE DISTRICT COURT  
Deputy  
CLERK DISTRICT COURT  
DEPUTY

STATE OF IDAHO vs. Jodie Dill, Case No. CF-13-3324

You have the right to remain silent. If you make any statements about your case, you will give up your right to remain silent and your statements could be used against you.

You have the right to hire an attorney, and the right to a reasonable extension of time so that you can obtain an attorney, or you may represent yourself without an attorney.

If you are indigent, there are some misdemeanors serious enough to allow you to make sworn application for an attorney at county expense. If an attorney is appointed for you, you could be required to repay the county at a later time.

You have the right to a speedy trial by jury, or you may request a trial by a judge.

You have the right to be present at your trial and to testify and cross-examine witnesses against you, but you cannot be forced to testify against your will.

You have the right to present a defense to the charges against you, and the right to subpoena witnesses to court to testify in your defense at no expense to you.

You are presumed innocent and the prosecution bears the burden of proving your guilt beyond a reasonable doubt.

You have the right to appeal within forty-two days from the time your case is concluded. You must file a written notice with the Clerk of the Court indicating that you wish to appeal.

You are required to notify the court of any change of address so long as your case is pending.

### **IF YOU ARE CHARGED WITH A MISDEMEANOR:**

The general penalty for a misdemeanor is a maximum fine of \$1,000 plus court costs and a maximum jail sentence of 6 months. As with any general rule there are exceptions. The judge will notify you if there are different maximum penalties in your case.

After your charge is read, you will be asked to enter a plea of guilty, enter a plea of not guilty, or request a continuance before entering a plea.

If you enter a plea of not guilty, your case will be set for trial by the Calendar Clerk, and you or your attorney will be given notice of your trial date by mail.

If you enter a plea of guilty, you will give up the rights outlined above except the right to an attorney and the right to appeal. A plea of guilty has the same effect as a finding of guilt at trial.



If you enter a plea of guilty, you may be sentenced at that time or sentencing may be scheduled for a future date. At sentencing you will be given a chance to make any explanation you think the judge should hear before sentence is imposed.

If you are not a U.S. citizen, pleading guilty could result in your deportation or inability to become a legal U.S. citizen.

If you are sentenced to pay a fine, you should be prepared to pay your fine at that time. If you are unable to pay, then you must ask the court for additional time to make payment. If you fail to pay fines and costs assessed by the Court, you could be found in contempt of Court and sentenced to additional jail or fines for contempt.

**IF YOU ARE CHARGED WITH A FELONY:**

You have the additional right to a timely preliminary hearing in front of a Magistrate Judge.

If you remain in custody, the preliminary hearing must be held within fourteen (14) days, or within twenty-one (21) days if you are not in custody.

At the preliminary hearing the State bears the burden of proving by a preponderance of the evidence, meaning that it is more likely than not, 1) that the charged offense was committed within the jurisdiction, and 2) that you are the person who committed the offense.

During the preliminary hearing you have the right to be represented by counsel and to cross-examine the State's witnesses and call witnesses to testify in your defense.

If the State carries its burden of proof at the preliminary hearing, or if you decide to waive your right to a preliminary hearing, the Magistrate Judge will enter an order setting a date for you to appear before a District Court Judge for arraignment, at which time you will be asked by the District Judge to enter a plea of guilty or not guilty to the felony charge(s).

If the Magistrate Judge determines that the State has not carried its burden of proof at the preliminary hearing, an order dismissing the charge "without prejudice" will be entered, which means that the State has the option to refile the charge against you.

**READ AND UNDERSTOOD**

DATED: 3-10-14

  
Defendant's Signature

STATE OF IDAHO  
CLERK OF THE DISTRICT COURT  
COUNTY OF BONNER

BY \_\_\_\_\_ FIRST JUDICIAL DIST. DEPUTY

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

CLERK DISTRICT COURT

DEPUTY

APPLICATION FOR: Jodie M. Dill

DEFENDANT / JUVENILE / CHILD

BY Jodie M. Dill

DEFENDANT / PARENT / GUARDIAN

DATE OF BIRTH: \_\_\_\_\_

SOC. SECURITY: \_\_\_\_\_

CASE NO. 0813-0324

## FINANCIAL STATEMENT AND ORDER

**NOTE:** If this application is being made on behalf of a juvenile, please answer the following questions as they apply to his/her parents or legal guardian.

I, the above named defendant, being first duly sworn on oath, depose and say in support of my request for court appointed counsel:

My current address is: 330 MT JIM LN Newport WA 99156  
(Street or P.O. Box) City State Zip Code  
P.O. Box 7, USK WA 99180 (mailing)  
My current telephone number or message phone is: 509-447-5125That I have been charged with the crime of PCS  
in the above entitled court and request the court to appoint counsel at county expense to represent me; **that I agree, if ordered by the Court, to refund to said County such sum as the court may fix for the cost of my defense, upon such terms as the court may order.**

## BELOW IS A TRUE AND CORRECT STATEMENT OF MY FINANCIAL CONDITION:

## 1. EMPLOYMENT:

A. Employed: yes ☒ no ☒ B. Spouse Employed: yes ☒ no ☒  
C. If not employed, or self-employed, last date of employment Self Employed Seasonal  
D. My employer is/was: Self  
Address: 330 MT JIM LN Newport, WA 99156 / P.O. Box 7  
USK WA 99180

## 2. INCOME MONTHLY (Include income of spouse, if married):

Wages before deductions \$ varies Other income: (Specify: Child Support, S.S., V.S., A.D.C.,  
Less Deductions \$ 100- Food Stamps, etc.) Food Stamps \$ 186<sup>00</sup> month  
Net Monthly Wages \$ \_\_\_\_\_

## 3. EXPENSES MONTHLY:

Rent or Mortgage Payment \$ 50<sup>00</sup> wk Child Care \$ 0  
Utilities \$ 30<sup>00</sup> wk Recreation \$ 0  
Clothing \$ 10-20 month Medical \$ 0

3. EXPENSES MONTHLY (Continued)

Transportation \$ 0 Insurance \$ \_\_\_\_\_  
School \$ 0 Other: (Specify) \$ \_\_\_\_\_  
Food \$ 186 month \$ \_\_\_\_\_  
DEBTS: Creditor ? Total \$ NA \$ \_\_\_\_\_ per mo.  
Creditor ? Total \$ NA \$ \_\_\_\_\_ per mo.

4. ASSETS:

A. I (we) have cash on hand or in banks \$ NO  
B. I (we) own personal property valued at \$ NO  
C. I (we) own vehicle(s) valued at \$ NO  
D. I (we) own real property valued at \$ NO  
E. I (we) own stocks, bonds, securities, or interest therein \$ NO

5. THE FOLLOWING ALSO AFFECTS MY FINANCIAL CONDITION (Specify): Not Being able to work due to this situation

6. DEPENDENTS: ☒ Self \_\_\_\_\_ Spouse \_\_\_\_\_ Children \_\_\_\_\_ Other (specify) \_\_\_\_\_  
(number)

Jodi M. Dill  
APPLICANT

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

The above named defendant parent \_\_\_\_\_ guardian appeared before the court on the aforesaid charge and requested the aid of counsel. The court having considered the foregoing, and having personally examined the applicant; ORDERS DENIES the appointment of the service of counsel in all matters pertaining to this action at county expense.

The \_\_\_\_\_ defendant \_\_\_\_\_ parent \_\_\_\_\_ guardian is required to reimburse the county for the services of counsel, at a rate of \$ \_\_\_\_\_ per month, commencing \_\_\_\_\_, 20\_\_\_\_ and continuing until notified by the court.

DATED this 11<sup>th</sup> day of March, 2014.

[Signature]  
JUDGE

Custody Status: ☒ In \_\_\_\_\_ Out \_\_\_\_\_

Bond \$ 40,000

Copies To:

☒ Prosecuting Attorney \_\_\_\_\_  
☐ Public Defender \_\_\_\_\_  
☐ Public Defender notified by phone \_\_\_\_\_

3-11-14  
Date

[Signature]  
Deputy Clerk

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT  
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

**COURT MINUTES**

**JUDGE:** WILLIAM C HAMLETT      **CASE NO.** CR-2013-3324  
**DIVISION:** MAGISTRATE COURT      **DATE:** MAR 11 2014      **TIME:** 11:00 AM  
**CLERK:** SUSAN AYERLE      **CRTRM:** 2

**STATE OF IDAHO**

vs

**JODIE MARIE EDWARDS DILL**

Plaintiff / Petitioner

Defendant / Respondent

Atty: BONNER COUNTY PROSECUTOR

Atty:

**SUBJECT OF PROCEEDINGS**

**IN CUSTODY – WARRANT**

**FAILURE TO COMPLY HEARING 3-31-2014**

INDEX	SPEAKER	PHASE OF CASE
1119		<b>Calls Case</b>
		<b>Present:</b> DEF IN CUSTODY VIA VIDEO
1120	J	PICKED UP ON BENCH WARRANT
	DEF	TURNED MYSELF IN
	J	WARRANT FOR EVADING PROBATION BAIL IS \$40,000
	DEF	REPORTED TO THE PSI; NOT AWARE OF IDAHO LAW; PSI PART I FILLED OUT PACKET; TALKED TO RYAN; LEFT MESSAGES FOR HIM HAVE NOT HEARD BACK FROM HIM; TALKED TO SECRETARY AT OFFICE IN POST FALLS
	J	ALLEGATION FROM THE DOC IS PSI WAS ORDERED IN THIS CASE FROM A GUILTY PLEA YOU ENTERED DECEMBER 17, 2013 THEY ARE ALLEGING YOU FAILED TO APPEAR WITHIN 24 HOURS; FAILED TO SUBMIT COMPLETED PSI QUESTIONNAIRE; FAILED TO CONTACT PSI INVESTIGATOR
	DEF	NOT TRUE; NOT AWARE OF ANY APPOINTMENT RYAN, PSI, TOLD ME HE WOULD GO THRU PAPERWORK AND THEN CONTACT ME FOR ONE ON ONE APPOINTMENT I DIDN'T KNOW ABOUT WARRANT UNTIL I CALLED ABOUT SENTENCING DATE TO CONFIRM THAT'S WHEN THEY TOLD ME SENTENCING APPEARANCE OFF ROSTER NOT SURE WHAT WAS GOING ON; DIDN'T GET ANY INFORMATION FROM ANYBODY CONTACTED BOND PEOPLE; THEY FOUND OUT WHAT WAS GOING ON AND TOLD ME ABOUT IT I CONTACTED ATTORNEY'S OFFICE; THEY WERE GOING TO TRY AND GET WARRANT QUASHED NOTHING HAPPENED I HAVE A LIFE SO I TURNED MYSELF IN YESTERDAY
	J	WHO'S YOUR ATTORNEY
	DEF	JANET WHITNEY
	J	APPOINTED
	DEF	YES
	J	APPOINT MS WHITNEY TO REPRESENT YOU SET YOU TO APPEAR BEFORE JUDGE BUCHANAN ON <b>MARCH 31<sup>ST</sup> AT 2:30 PM</b> JUDGE BUCHANAN WILL MAKE DETERMINATION HOPEFULLY WHILE IN CUSTODY CAN GET ALL THIS PSI STUFF TAKEN CARE OF BAIL IS \$40,000 SET BY JUDGE BUCHANAN
1124		END

☒ ADULT

☐ JUVENILE

STATE OF IDAHO  
COUNTY OF BONNER  
FIRST JUDICIAL DIST.

STATE OF IDAHO  
County of Bonner  
FILED  
AT \_\_\_\_\_ O'Clock \_\_\_\_\_ M  
CLERK, DISTRICT COURT

Deputy

**JAIL INFORMATION FOR BONNER COUNTY SHERIFF'S OFFICE**

JUDGE: HAMLETT

CLERK DISTRICT COURT CR - 2013 -- 3324

JODIE  
(SUBJECT'S FIRST NAME)

M  
(SUBJECT'S MIDDLE NAME)

EDWARDS (DILL)  
(SUBJECT'S LAST NAME)

☒ BY VIDEO

☒ SUBJECT APPEARED IN COURT ON: 11-MARCH-2014 - TUESDAY AT 1119 A M

☒ SUBJECT IS TO: ☐ BE OR'D  
☐ BE RELEASED BY JUDGES ORDER

☒ REMAIN IN CUSTODY

☐ BE RELEASED/TIME SERVED  
☐ BE RELEASED TO PARENT/PTA

☒ BOND \$40,000.00

☐ MUST SIGN WAIVER OF EXTRADITION

☐ WORK RELEASE/SEARCH GRANTED

☐ AUTHORIZATION TO TRANSFER TO REGION ONE JUVENILE DETENTION CENTER GRANTED, IF NECESSARY.

☐ SENTENCED TO: ☐ \_\_\_\_\_ DAYS IMPOSED ☐ \_\_\_\_\_ HOURS ON SHERIFF'S LABOR PROGRAM.  
☐ \_\_\_\_\_ DAYS SUSPENDED **SIGN UP WITHIN SEVEN (7) DAYS FROM TODAY**  
☐ \_\_\_\_\_ DAYS TO SERVE **AT SHERIFF'S OFFICE AND COMPLETE BY:**  
☐ \_\_\_\_\_ DAYS CREDIT \_\_\_\_\_, 20\_\_\_\_.

☐ SUBJECT TO REPORT TO THE BONNER COUNTY JAIL ON: \_\_\_\_\_ AT \_\_\_\_\_ M  
☐ BREATH OR U/A TEST ORDERED \_\_\_\_\_ X'S WEEKLY ON: \_\_\_\_\_ AT \_\_\_\_\_ M  
☐ SUBJECT PLACED IN THE CUSTODY OF THE DEPT. OF HEALTH & WELFARE NOT TO EXCEED \_\_\_\_\_ YEAR (S).

☐ SUBJECT SENTENCED TO SERVE NOT LESS THAN \_\_\_\_\_ AND NOT MORE THAN \_\_\_\_\_  
IN THE IDAHO STATE DEPT. OF CORRECTIONS.  
☐ THIS SENTENCE IS SUSPENDED. ☐ PLACED ON \_\_\_\_\_ YEARS PROBATION.  
☐ SUBJECT TO BE PLACED IN THE **RETAINED JURISDICTION PROGRAM** FOR NOT MORE THAN 180 DAYS.  
☐ AS CONDITION OF PROBATION, SUBJECT TO SERVE \_\_\_\_\_ DAYS LOCAL JAIL.

**CHARGES**

POSS CONT SUB (METH) - FTC - (FE)

\$40,000.00

JUDGE'S ORDER: SUBJECT IS TO Remain in Custody.

Next HEARING - 31-MARCH-2014 @ 1430pm

☐ JUDGE'S ORDER WILL FOLLOW

☒ PUBLIC DEFENDER OFFICE **APPOINTED**

0152

J. Williams

BONNER COUNTY PUBLIC DEFENDER  
JANET K. WHITNEY (ISBN: 6624)  
406 South Ella Street  
Sandpoint, Idaho 83864  
Phone: (208) 255-7889; Fax: (208) 255-7559

STATE OF IDAHO  
COUNTY OF BONNER  
FIRST JUDICIAL DIST.

2014 MAR 27 P 4:05

CLERK DISTRICT COURT  
DEPUTY

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

STATE OF IDAHO,	)	
	)	CASE NUMBER CR-13-0003324
Plaintiff,	)	
	)	MOTION TO RELEASE
V.	)	ON OWN RECOGNIZANCE
	)	
JODIE M. EDWARDS,	)	
	)	
Defendant.	)	

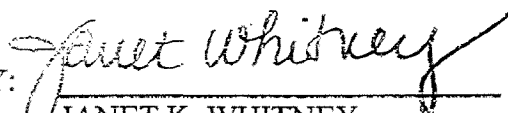
COME NOW the above-named defendant by and through her attorney of record, Janet K. Whitney, Bonner County Public Defender, and hereby move this Honorable Court for an Order to release the above-named defendant from the custody of the Bonner County Sheriff on her own recognizance.

This motion is brought on the grounds that the Defendant was ordered in open court to remain in custody until such time as the presentence interview was conducted. On March 27<sup>th</sup>, 2014 the presentence investigator went to the jail to conduct said interview.

DATED this 27 day of March, 2014.

OFFICE OF THE BONNER  
COUNTY PUBLIC DEFENDER

BY:

  
JANET K. WHITNEY  
PUBLIC DEFENDER

MOTION TO RELEASE  
ON OWN RECOGNIZANCE

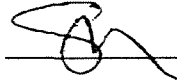
Page 1

0153

**CERTIFICATE OF DELIVERY**

I hereby certify that a true and correct copy of the foregoing was personally served by placing a copy of the same in the interoffice mailbox or as otherwise indicated on the 27 day of March, 2014, addressed to:

Bonner County Prosecutor

  
\_\_\_\_\_

BONNER COUNTY PUBLIC DEFENDER  
**JANET K. WHITNEY (ISBN: 6624)**  
 406 South Ella Street  
 Sandpoint, Idaho 83864  
 Phone: (208) 255-7889; Fax: (208) 255-7559

STATE OF IDAHO  
 COUNTY OF BONNER  
 FIRST JUDICIAL DIST.

2014 MAR 28 A 11:56

CLERK DISTRICT COURT

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

STATE OF IDAHO,	)	
	)	
Plaintiff,	)	CASE NUMBER CR-13-0003324
V.	)	
	)	ORDER TO RELEASE ON
JODIE M. EDWARDS,	)	OWN RECOGNIZANCE
	)	
Defendant.	)	

The Court having before it the Motion to Release on Own Recognizance and good cause appearing; now, therefore

IT IS HEREBY ORDERED that the above-named defendant shall be released from the custody of the Bonner County Sheriff on her own recognizance. *IF defendant acknowledge acceptance of the terms on the "Order Setting Bond and Conditions of Release"*

DATED this 28<sup>th</sup> day of March, 2014.

*Janet Whitney*  
 JUDGE

### CLERK'S CERTIFICATE

I hereby certify that a true and correct copy of the foregoing was personally served by placing a copy of the same in the interoffice mailbox or as otherwise indicated on the 28<sup>th</sup> day of March, 2014 addressed to:

Bonner County Jail (by fax)  
 Bonner County Public Defender - *Faxed*  
 Bonner County Prosecutor - *Faxed*

*Lynne Apper*  
 Deputy Clerk

ORDER TO RELEASE ON OWN RECOGNIZANCE

Page 1

0155



IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER  
MAGISTRATE DIVISION

STATE OF IDAHO

PLAINTIFF,

VS.

CASE NO. CRF 2013-3324

**ORDER SETTING BOND AND  
CONDITIONS OF RELEASE**

AMENDED

Jodie M. Edwards  
DEFENDANT

Defendant's bond, in the above entitled matter, is hereby set at \$ OR, and, in addition, the defendant shall abide by the CONDITIONS OF RELEASE set forth below:

       ☐ No contact, ☐ in person, ☐ by phone, ☐ electronic, ☐ written, ☐ by third person with:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

       ☒ The Defendant shall, at any time, submit to a search of his/her person, residence, vehicle (including any vehicle which the Defendant is operating) at the request of any law enforcement officer.

       ☒ The Defendant is required to report for, and submit a valid sample for:  
☒ Drug testing ☐ BAC testing ☐ Both Drug and BAC testing  
Every: ☒ Mon ☐ Tues ☐ Wed ☒ Thurs ☐ Fri ☐ Sat ☐ Sun  
BAC testing: ☐ once daily ☐ twice daily  
Drug testing: ☐ once weekly ☐ twice weekly ☐ 3 times weekly

Defendant shall report to the: ☒ Bonner County Courthouse (weekdays only)  
☐ Bonner County Jail (including all Holidays & Weekends)

Between 7:30 AM and/or 8:00 PM AM

       ☒ If Defendant: ☒ tests positive for the presence of any illegal controlled substance or  
☐ blows positive for the presence of alcohol

☒ Defendant's O.R. release or bond shall be revoked.

☒ Defendant shall be immediately taken into custody.

- \_\_\_\_\_ [ ] Defendant shall be responsible for the cost of all testing.
- \_\_\_\_\_ [ ] Defendant shall sign a **Waiver of Extradition** prior to his/her release.
- \_\_\_\_\_ [ ] Defendant shall not consume or possess any alcohol.
- \_\_\_\_\_ [ ] Defendant shall not drive any motor vehicle.
- \_\_\_\_\_ [ ] Defendant shall violate no law. (Infractions are excluded for these purposes.)
- \_\_\_\_\_ [ ] Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_


Any officer having reasonable grounds to believe that the Defendant has violated any of these conditions of release may take the above named Defendant into custody and shall notify the Court, by the next business day, that the Defendant has been detained and the reason for such detention.

**Upon such return to custody, the jail shall not release the Defendant until the presiding Judge further directs.**

Dated this 28th day of March, 2014.

  
MAGISTRATE JUDGE

Copies of the foregoing were mailed, faxed, and/or delivered  
this 28th day of March, 2014.

- [X] Defendant / Defense Attorney (Tanner White) 
- [X] Prosecuting Attorney (Shane Greenbank)
- [X] Corrections-Bonner County Jail
- [ ] Bonner County Sheriff's Office-Records

CASE NO. CR13-3324  
CHARGE(S) PV/PCS METH

STATE OF IDAHO  
COUNTY OF BONNER  
FILED \_\_\_\_\_  
AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_  
Deputy Clerk, DISTRICT COURT

## **NOTICE TO DEFENDANTS**

Regarding your release from custody

TO: Edwards, Jodie, Defendant.

☒ You were released on your own recognizance by Judge Hamlet  
on the 28 day of MARCH, 2014 at 1156 A.M. by

[ ] telephone / fax ☒ Bailiff slip [ ] personal contact

[ ] You have posted bail / cash in the amount of \$\_\_\_\_\_ to secure your release.

[ ] You are bonding on DUI Second Offense or More, or Excessive DUI. Misdemeanor Criminal Rule 5(b) requires you to appear before a judge within 48 hours, excluding weekends and holidays. You are to appear at the Bonner County Administrative Building, 1500 Highway 2, Sandpoint, Idaho on \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ at 1:15 p.m.  
(JAIL - Set date for next business day and immediately fax a copy to Magistrate Court at 265-1446)

☒ You or your attorney will be notified by the Court when to appear.

### **Two of the conditions of your release on bail/your own recognizance are:**

1. YOU ARE REQUIRED TO NOTIFY THE COURT AND YOUR ATTORNEY, if you have one, OF ANY CHANGE OF ADDRESS OR PHONE NUMBER THAT YOU HAVE WHILE YOUR CASE IS PENDING BEFORE THE COURT.
2. NOTIFY YOUR ATTORNEY OF THE COURT DATE ABOVE.

**FAILURE TO APPEAR ON ANY APPEARANCE DATE OR FAILURE TO NOTIFY THE COURT REGARDING CHANGE OF ADDRESS OR PHONE NUMBER MAY CAUSE A WARRANT TO ISSUE FOR YOUR ARREST.**

MY CURRENT MAILING ADDRESS IS: PO Box 7 USK WA 99180

MY CURRENT PHYSICAL ADDRESS (if different from above): 330 Mt. Aem Ln Newport WA 99151

MY CURRENT PHONE NUMBER IS: 509 447 5125 MESSAGE PHONE: \_\_\_\_\_

**I have read, understand and received a copy of the above instructions. My signature is not an admission of guilt to any charge(s), but acknowledgment of the instructions contained above.**

3/28/14  
DATE

Jodie M. Edwards  
SIGNATURE OF DEFENDANT

\_\_\_\_\_  
WITNESS

[Signature]  
DEPUTY SHERIFF

\*\*\*NOTE TO DEPUTY: Provide a copy to defendant. Return this original to the Court. If the Defendant refuses to sign this, witness the same and make a written indication that the defendant refused to do so.

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

STATE OF IDAHO

Plaintiff,

v.

JODIE MARIE DILL (AKA EDWARDS),

DOB [REDACTED]

DL/ID# [REDACTED]

SSN: [REDACTED]

Defendant.

Case No: CR-2013 - 3324

CLERK DISTRICT COURT

cm

DEPUTY

**PROSECUTOR'S VERIFIED  
APPLICATION OF WILLFUL  
VIOLATION OF RELEASE /  
BOND CONDITIONS**

&

**REQUEST FOR WARRANT**

**COMES NOW**, the undersigned Prosecuting Attorney for the Bonner County Prosecutor's Office, and hereby moves this Honorable Court to revoke the Defendant's conditional release pursuant to Idaho Criminal Rule 46(i)(1) and Idaho Code §19-2919.

In support of this application the undersigned Prosecuting Attorney, upon oath, alleges that, based on the allegations contained in the Affidavit of Noncompliance Regarding Release Conditions executed by Paul Guthrie, Bailiff and Deputy Clerk of the Bonner County District Court, on April 21, 2014, which are true and accurate to the best of the prosecution's knowledge and belief, the prosecution verifies that it appears the defendant has willfully violated the conditions of pre-trial release. I.C.R. 46(i)(1) provides that, upon a verified application of the prosecuting attorney alleging that a person has willfully violated conditions of the person's release, the Court may issue a warrant directing the person to be arrested and brought before the Court for a Bail Revocation Hearing.

**THEREFORE**, the prosecution respectfully requests the Court issue a BENCH WARRANT for the Defendant's arrest and schedule a Bail Revocation Hearing once the defendant is apprehended.

I hereby certify that the statements in this Application are the truth, the whole truth and nothing but the truth, so help me God.

**DATED** this 22<sup>nd</sup> day of April, 2014.

Prosecuting Attorney

**SUBSCRIBED and SWORN** to before me on this 22 day of April, 2014

Deputy Clerk

Attached: Affidavit of Noncompliance Regarding Release Conditions

**PROSECUTOR'S VERIFIED APPLICATION OF WILLFUL VIOLATION OF  
RELEASE/BOND CONDITIONS & REQUEST FOR WARRANT (CR-2013 - 3324)**

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

STATE OF IDAHO

Plaintiff,

v.

JODIE MARIE DILL (AKA EDWARDS),

DOB: [REDACTED]

DL/ID#: [REDACTED]

SSN: [REDACTED]

Defendant.

Case No: CR-2013-3324

AFFIDAVIT OF NONCOMPLIANCE  
REGARDING RELEASE CONDITIONS  
(A FELONY OFFENSE)

DEPUTY

TO: Bonner County Prosecutor's Office

I, Paul Guthrie, being first duly sworn on oath, deposes and says that I am a Bailiff and Deputy Clerk of the Bonner County District Court and that I have reviewed the Court's records in this matter and am able to state that;

1. I am responsible for tracking the compliance of criminal defendants whom the court has released from custody upon certain delineated conditions.
2. This Affidavit does not allege, solely, if at all, any Failure to Appear of the Defendant as a violation of release conditions.
3. On March 25, 2014, Judge Mitchell entered an order setting forth a number of pre-trial release conditions.
4. Specifically, the Defendant was ordered to drug test at the Courthouse two times weekly, 10 Panel U/A, on Mondays & Thursdays, between 730-8am. .
5. The Defendant has failed to comply with said order in the following respect(s):
  - a. DILL has failed to test, even once, since the Order was issued, having missed 8 tests to date. DILL is set for sentencing on May 6, '14 @130pm.
6. Therefore, it appears that the Defendant has willfully violated the Court ordered conditions of release.

**WHEREFORE**, this Affidavit will be delivered to the appropriate prosecuting authority for further action, pursuant to I.C.R 46(i)(1).

**DATED** April 21, 2014.

PAUL GUTHRIE  
Bailiff and Deputy Clerk

**SUBSCRIBED AND SWORN** to before me on April 21, 2014.

DEPUTY CLERK

CC: Court File  
Bonner County Prosecutor's Office

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

215 S. First Avenue  
Sandpoint, Idaho 83864  
Phone: (208) 265-1432

CLERK DISTRICT COURT

STATE OF IDAHO

Plaintiff,

v.

JODIE MARIE DILL (AKA EDWARDS),

DOB: [REDACTED]

DL/ID#: [REDACTED]

SSN: [REDACTED]

Defendant.

Case No: CR-2013 - 3324

BENCH WARRANT  
(FELONY)

COPY

TO: ANY SHERIFF, CONSTABLE, MARSHAL, POLICEMAN OR FEDERAL  
OFFICER/AGENT AUTHORIZED TO EFFECTUATE AN ARREST;

You are hereby commanded and directed to arrest JODIE MARIE DILL (AKA EDWARDS), the  
above-named Defendant, DL/ID# [REDACTED] ID, date of birth [REDACTED] Social Security number [REDACTED]  
[REDACTED] to return the Defendant to the jurisdiction of this Court, and bring the Defendant before this Court  
for a Bail Revocation Hearing, pursuant to Idaho Code §19-2919.

Said Bench Warrant is issued upon the Prosecutor's Verified Application of Willful Violation of  
Release / Bond Conditions, filed by the Bonner County Prosecutor's Office, and supported by the  
accompanying Affidavit of Noncompliance Regarding Release Conditions executed by Paul Guthrie,  
Bailiff and Deputy Clerk of the Bonner County District Court, on April 21, 2014, all of which allege  
violation(s) of the terms and conditions of conditional release previously granted to the Defendant in the  
above-entitled matter.

THIS WARRANT IS TO BE SERVED:

☒ Any time of the day or night. ☐ Daytime only.

BOND AMOUNT \$ 40,000

DATED this 23 day of April, 2014.

*Paul R. [Signature]*

JUDGE

**RETURN OF SERVICE**

I HEREBY CERTIFY that I received the within Bench Warrant on the \_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_, and served the same by arresting JODIE MARIE DILL (AKA EDWARDS), DOB [REDACTED] SSN  
[REDACTED], and bringing said person to the above captioned Court this \_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_.

\_\_\_\_\_  
Law Enforcement Officer

\_\_\_\_\_  
Law Enforcement Agency



Office of the  
BONNER COUNTY PROSECUTING ATTORNEY

127 S. First Avenue  
Sandpoint, Idaho 83864-1300

(208) 263-6714  
Fax: (208) 263-6726

**NCIC WANTED PERSON ENTRY AUTHORIZATION**

TO: BONNER COUNTY SHERIFF'S OFFICE

RE: JODIE MARIE DILL (AKA EDWARDS)  
3324

COURT CASE NO.: CR-2013 -

DOB: [REDACTED]

SSN: [REDACTED]

DL/ID#: [REDACTED]

This is your authorization to enter the above-mentioned Defendant into  
NCIC. The Bonner County Prosecuting Attorney's Office will extradite from:

- ☐ IDAHO ONLY  
☐ H & MONTANA  
☒ NATIONWIDE  
☐ \_\_\_\_\_

SIGNED this 22<sup>nd</sup> day of April, \_\_\_\_\_.

  
\_\_\_\_\_  
PROSECUTING ATTORNEY

REMOVE

FROM

NCIC:

SIGNED: \_\_\_\_\_ DATE: \_\_\_\_\_



IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

APR 22 A 10:51

STATE OF IDAHO

Plaintiff,

v.

JODIE MARIE DILL (AKA EDWARDS),

DOB [REDACTED]

DL/ID#: [REDACTED]

SSN: [REDACTED]

Defendant.

Case No: CR-2013 - 3324

CLERK DISTRICT COURT

PROSECUTOR'S VERIFIED  
APPLICATION OF WILLFUL  
VIOLATION OF RELEASE /  
BOND CONDITIONS

&amp;

REQUEST FOR WARRANT

DEPUTY

COMES NOW, the undersigned Prosecuting Attorney for the Bonner County Prosecutor's Office, and hereby moves this Honorable Court to revoke the Defendant's conditional release pursuant to Idaho Criminal Rule 46(i)(1) and Idaho Code §19-2919.

In support of this application the undersigned Prosecuting Attorney, upon oath, alleges that, based on the allegations contained in the Affidavit of Noncompliance Regarding Release Conditions executed by Paul Guthrie, Bailiff and Deputy Clerk of the Bonner County District Court, on April 21, 2014, which are true and accurate to the best of the prosecution's knowledge and belief, the prosecution verifies that it appears the defendant has willfully violated the conditions of pre-trial release. I.C.R. 46(i)(1) provides that, upon a verified application of the prosecuting attorney alleging that a person has willfully violated conditions of the person's release, the Court may issue a warrant directing the person to be arrested and brought before the Court for a Bail Revocation Hearing.

THEREFORE, the prosecution respectfully requests the Court issue a BENCH WARRANT for the Defendant's arrest and schedule a Bail Revocation Hearing once the defendant is apprehended.

I hereby certify that the statements in this Application are the truth, the whole truth and nothing but the truth, so help me God.

DATED this 22<sup>nd</sup> day of April, 2014.

Prosecuting Attorney

SUBSCRIBED and SWORN to before me on this 22 day of April, 2014

Deputy Clerk

Attached: Affidavit of Noncompliance Regarding Release Conditions

PROSECUTOR'S VERIFIED APPLICATION OF WILLFUL VIOLATION OF  
RELEASE/BOND CONDITIONS & REQUEST FOR WARRANT (CR-2013 - 3324)

0164

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

STATE OF IDAHO

Plaintiff,

v.

JODIE MARIE DILL (AKA EDWARDS),

DOB: [REDACTED]

DL/ID#: [REDACTED]

SSN: [REDACTED]

Defendant.

Case No: CR-2013-3324

2014 APR 22 A 10:50

AFFIDAVIT OF NONCOMPLIANCE  
REGARDING RELEASE CONDITIONS  
(A FELONY OFFENSE)

DEPUTY

TO: Bonner County Prosecutor's Office

I, Paul Guthrie, being first duly sworn on oath, deposes and says that I am a Bailiff and Deputy Clerk of the Bonner County District Court and that I have reviewed the Court's records in this matter and am able to state that;

1. I am responsible for tracking the compliance of criminal defendants whom the court has released from custody upon certain delineated conditions.
2. This Affidavit does not allege, solely, if at all, any Failure to Appear of the Defendant as a violation of release conditions.
3. On March 25, 2014, Judge Mitchell entered an order setting forth a number of pre-trial release conditions.
4. Specifically, the Defendant was ordered to drug test at the Courthouse two times weekly, 10 Panel U/A, on Mondays & Thursdays, between 730-8am. .
5. The Defendant has failed to comply with said order in the following respect(s):
  - a. DILL has failed to test, even once, since the Order was issued, having missed 8 tests to date. DILL is set for sentencing on May 6, '14 @130pm.
6. Therefore, it appears that the Defendant has willfully violated the Court ordered conditions of release.

WHEREFORE, this Affidavit will be delivered to the appropriate prosecuting authority for further action, pursuant to I.C.R 46(i)(1).

DATED April 21, 2014.

PG  
PAUL GUTHRIE  
Bailiff and Deputy Clerk

SUBSCRIBED AND SWORN to before me on April 21, 2014.

DEPUTY CLERK

CC: Court File  
Bonner County Prosecutor's Office

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER  
MAGISTRATE DIVISION

STATE OF IDAHO )

PLAINTIFF, )

vs. )

Jodie M. Edwards )  
DEFENDANT )

CASE NO. CRF 2013-3324

**ORDER SETTING BOND AND  
CONDITIONS OF RELEASE**

AMENDED

Defendant's bond, in the above entitled matter, is hereby set at \$ OR, and, in addition, the defendant shall abide by the CONDITIONS OF RELEASE set forth below:

\_\_\_ [ ] No contact, [ ] in person, [ ] by phone, [ ] electronic, [ ] written, [ ] by third person with:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_ ☒ The Defendant shall, at any time, submit to a search of his/her person, residence, vehicle (including any vehicle which the Defendant is operating) at the request of any law enforcement officer.

\_\_\_ ☒ The Defendant is required to report for, and submit a valid sample for:  
☒ Drug testing [ ] BAC testing [ ] Both Drug and BAC testing  
Every: ☒ Mon [ ] Tues [ ] Wed ☒ Thurs [ ] Fri [ ] Sat [ ] Sun  
BAC testing: [ ] once daily [ ] twice daily  
Drug testing: [ ] once weekly [ ] twice weekly [ ] 3 times weekly

Defendant shall report to the: ☒ Bonner County Courthouse (weekdays only)

Between 7:30 AM and/or 8:00 PM AM

Between 7:30 AM and/or 8:00 PM AM

\_\_\_ ☒ If Defendant: ☒ tests positive for the presence of any illegal controlled substance or  
[ ] blows positive for the presence of alcohol

☒ Defendant's O.R. release or bond shall be revoked.

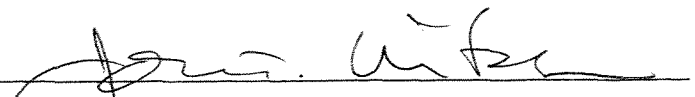
☒ Defendant shall be immediately taken into custody.

- \_\_\_\_\_ [ ] Defendant shall be responsible for the cost of all testing.
- \_\_\_\_\_ [ ] Defendant shall sign a **Waiver of Extradition** prior to his/her release.
- \_\_\_\_\_ [ ] Defendant shall not consume or possess any alcohol.
- \_\_\_\_\_ [ ] Defendant shall not drive any motor vehicle.
- \_\_\_\_\_ [ ] Defendant shall violate no law. (Infractions are excluded for these purposes.)
- \_\_\_\_\_ [ ] Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Any officer having reasonable grounds to believe that the Defendant has violated any of these conditions of release may take the above named Defendant into custody and shall notify the Court, by the next business day, that the Defendant has been detained and the reason for such detention.

**Upon such return to custody, the jail shall not release the Defendant until the presiding Judge further directs.**

Dated this 28th day of March, 2014.

  
MAGISTRATE JUDGE  
District

Copies of the foregoing were mailed, faxed, and/or delivered  
this 28th day of March, 2014.

- [X] Defendant / Defense Attorney (Janet Whitney)  
[X] Prosecuting Attorney (Shane Greenbank) } Faxed  
[X] Corrections-Bonner County Jail  
[ ] Bonner County Sheriff's Office-Records

**BONNER COUNTY PROSECUTING ATTORNEY**

127 S. First Avenue  
Sandpoint, ID 83864  
(208) 263-6714  
(208) 263-6726 (facsimile)

*Assigned Prosecutor:*  
**SHANE GREENBANK**

STATE OF IDAHO  
County of Bonner } ss  
FILED 8-7-13  
AT 130 O'clock 9 M  
CLERK. DISTRICT COURT  
Deputy

**ORIGINAL**

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

**STATE OF IDAHO**

Plaintiff,

v.

**JODIE MARIE DILL**  
**aka JODIE MARIE EDWARDS,**

DOB: [REDACTED]

SSN: [REDACTED]

Defendant.

Case No: **CR-2013-3324**

**INFORMATION**

AGENCY: BCSO #13-011950

**COMES NOW**, Shane Greenbank, Chief Deputy Prosecuting Attorney for Bonner County, State of Idaho, and complains that the above named defendant did commit the crime of: **POSSESSION OF A CONTROLLED SUBSTANCE, METHAMPHETAMINE**, a Felony offense pursuant to Idaho Code §37-2732(c)(1), committed as follows:

The Defendant, **JODIE MARIE DILL, aka JODIE MARIE EDWARDS**, on or about the 4<sup>th</sup> day of July, 2013, in the County of Bonner, State of Idaho, did unlawfully possess a controlled substance, to-wit: Methamphetamine, a Schedule II controlled substance.

All of which is contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Idaho.

**WHEREFORE**, Complainant prays that the Defendant be dealt with according to law.

**DATED** this 27<sup>th</sup> day of August, 2013.

  
**SHANE GREENBANK, COMPLAINANT**  
**CHIEF DEPUTY PROSECUTOR**

**CERTIFICATE OF SERVICE**

I hereby certify that on the 7 day of August, 2013, I caused to be served a true and correct copy of the foregoing document as follows:

Court File - Original

Janet Whitney - Copy  
Attorney for Defendant  
Hand Delivered

  
**SHANE GREENBANK**

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

**COURT MINUTES**

**JUDGE: BARBARA BUCHANAN**  
**REPORTER: VAL LARSON**  
**CLERK: CHERIE MOORE**  
**DIVISION: DISTRICT**

**CASE NO. CR-2013-0003324**  
**DATE: 05/06/2014 TIME: 01:30 PM**  
**CTRM: 1**

**STATE OF IDAHO**

**vs. JODIE MARIE DILL**

Plaintiff / Petitioner

Defendant / Respondent

Atty: SHANE GREENBANK

Atty: JANET WHITNEY

**SUBJECT OF PROCEEDINGS: SENTENCING**

INDEX	SPEAKER	PHASE OF CASE
1:41	J	<b>Calls Case</b>
		<b>Present:</b> DEFENDANT, JANET WHITNEY, SHANE GREENBANK
	J	I HAVE READ THE PRESENTENCE REPORT – MS. WHITNEY, DO YOU WANT TO MAKE CHANGES OR CORRECTIONS?
	JW	YES [STATES CHANGES, CORRECTIONS]
	J	MR. GREENBANK, YOU'RE REQUESTING \$100 RESTITUTION?
	SG	CORRECT
	JW	WE WOULD AGREE
	J	DOES EITHER SIDE HAVE ANY TESTIMONY?
	SG/JW	NO
	J	MR. GREENBANK, THE STATE'S RECOMMENDATIONS?
	SG	MAKE REFERENCE TO THE FELONY IN WASHINGTON – IT WAS A FELONY – IT DOESN'T CHANGE MY RECOMMENDATION – RECOMMEND 30 DAYS LOCAL JAIL, 2 YEARS FIXED, 3 YEARS INDETERMINATE FOR A UNIFIED SENTENCE OF 5 YEARS, 5 YEARS SUPERVISED PROBATION
1:51	J	MS. WHITNEY, YOUR COMMENTS AND RECOMMENDATIONS?
	JW	SHE HAS BEEN SELF-EMPLOYED FOR SEVERAL YEARS – SHE IS CURRENTLY WORKING – SHE'S BEEN CLEAN FOR MORE THAN A YEAR – ALTHOUGH THE PRESENTENCE INVESTIGATOR FEELS THAT SHE ISN'T TAKING RESPONSIBILITY BUT SHE DID ENTER AN ALFORD PLEA – SHE DID TAKE RESPONSIBILITY – SHE'S UNWILLING TO UNDERGO TREATMENT OF ANY KIND – SHE MAY NEED SOME COUNSELING AS WELL – SHE HAS A PLACE TO LIVE AND IS MORE THAN WILLING TO COMPLY WITH PROBATION – I THINK SHE'LL DO WELL ON PROBATION – RECOMMEND 2 YEARS FIXED, 2 YEARS INDETERMINATE FOR A TOTAL OF 4 – SUSPEND – 3 YEARS PROBATION – I THINK SHE'S A PRODUCTIVE MEMBER OF SOCIETY
	J	DID YOU SAY SHE'S DONE 30 DAYS?
	JW	SHE HAS
1:57	J	MS. DILL, DID YOU WANT TO MAKE A STATEMENT ON YOUR BEHALF?
	DEF	YES – MY BOSS GAVE ME A PLACE TO LIVE – THEY HAVE FAITH IN ME AND KNOW I CAN PULL MYSELF OUT OF THIS – THEY TOTALLY TRUST ME OR I WOULDN'T BE THERE – STAYING BUSY IS WHAT KEEPS ME GOING?
	J	MS. WHITNEY, IS THERE ANY LEGAL REASON NOT TO PRONOUNCE SENTENCE?

	JW	NO
1:58	J	<b>I WILL GIVE YOU A CHANCE ON PROBATION – IMPOSE UNIFIED SENTENCE OF 4 YEARS, 2 YEARS FIXED, 2 YEARS INDETERMINATE</b> <b>3 YEARS PROBATION</b> <b>\$500 FINE</b> <b>\$280.50 COURT COSTS</b> <b>\$300 REIMBURSEMENT FOR PUBLIC DEFENDER</b> <b>\$100 RESTITUTION</b> <b>\$100 DNA SAMPLE</b> <b>YOU HAVE 3 YEARS TO PAY OFF FINES AND COSTS</b> <b>YOU SERVED 30 DAYS JAIL – SO CREDIT FOR 30 DAYS SERVED</b> <b>GET YOUR GAIN EVALUATION AS SOON AS POSSIBLE AND COMPLETE ANY TREATMENT RECOMMENDED</b> <b>MEET WITH PROBATION TODAY</b> <b>I DO REQUIRE 100 HOURS COMMUNITY SERVICE, NO LESS THAN 8 HOURS A MONTH</b> <b>SIGN UP DOWNSTAIRS IN THE CLERK'S OFFICE</b>
2:01	END	



STATE OF IDAHO  
County of Bonner }ss  
FILED 5/26/14  
AT 1:30 O'CLOCK P M  
CLERK, DISTRICT COURT  
Deputy

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

STATE OF IDAHO

Plaintiff,

v.

JODIE MARIE DILL

DOB: [REDACTED]

SSN: [REDACTED]

Defendant.

Case No: CR-2013-3324

ORDER OF RESTITUTION

**WHEREAS** this matter came before the Court for a Sentencing Hearing on the 6th day of May, 2014, the Honorable Barbara Buchanan presiding. Present at the hearing was the above captioned defendant with her attorney, Janet Whitney, and on behalf of the State, Bonner County Chief Deputy Prosecuting Attorney Shane Greenbank.

**IT IS ADJUDGED** that the Defendant has been convicted upon a plea of guilt to the offense(s) of: POSSESSION OF A CONTROLLED SUBSTANCE, METHAMPHETAMINE, as charged in the Information on file in the above captioned matter, and pursuant to the Pretrial Settlement Agreement on file in this matter,

**IT IS HEREBY ORDERED** that Jodie Marie Dill shall pay restitution as follows:

**Forensic Services**

**\$100.00**

Idaho State Police  
700 South Stratford Drive  
Meridian, ID 83642-6202  
(Lab Report #: C20131587)


**TOTAL RESTITUTION: \$100**

**IT IS FURTHER ORDERED** that all restitution payments made by the Defendant in the above-entitled matter shall be paid directly to the Clerk of the District Court;

**IT IS FURTHER ORDERED** that restitution payments received from the Defendant by the Clerk of the District Court in the above-entitled matter shall be reimbursed to the individuals listed above.

**IT IS FURTHER ORDERED** that all restitution payments shall be paid pursuant to a schedule set by the Probation/Parole Officer or the Court.

**SO ORDERED** this 6th day of May, 2014.

  
\_\_\_\_\_  
**JUDGE**

**CLERK'S CERTIFICATE OF SERVICE**

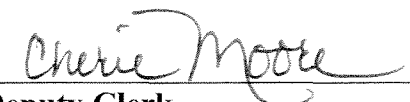
I hereby certify that on the 7<sup>th</sup> day of May, 2014, I caused to be served true and correct copies of the foregoing document as follows:

☒ Bonner County Prosecutor's Office – Copy  
Served via I.O.M.

☒ Court File – Original

☒ Janet Whitney – Copy  
Served via: ☐ I.O.M.  
☐ Hand Delivered  
☐ Fax  
☐ U.S. Mail

☒ Probation and Parole – Copy  
Served via: ☐ I.O.M.  
☒ Fax

  
\_\_\_\_\_  
**Deputy Clerk**

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

STATE OF IDAHO

Plaintiff,

v.

JODIE MARIE DILL,

DOB: [REDACTED]

SSN: [REDACTED]

Defendant.

Case No: CR-2013-3324

CIVIL JUDGMENT

**WHEREAS** this matter came before the Court for hearing regarding restitution in this matter, and pursuant to the Pretrial Settlement Agreement on file in this matter, and the Court being fully advised in the premises with good cause appearing, therefore;

**IT IS HEREBY ORDERED** that judgment be, and is hereby awarded in favor of Idaho State Police Forensic Services, 700 South Stratford Drive, Meridian, Idaho 83642-6202, (Re Lab Report #: C20131587), and against the above captioned defendant, for the principal amount of \$100.00, along with applicable judgment interest thereon from today and until paid in full.

**SO ORDERED** this 6th day of May, 2014.

  
JUDGE

**CLERK'S CERTIFICATE OF SERVICE**

I hereby certify that on the 7<sup>th</sup> day of May, 2014, I caused to be served true and correct copies of the foregoing document as follows:

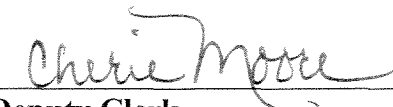
☒ Bonner County Prosecutor's Office – Copy  
Served via I.O.M.

☒ Court File – Original

☒ Janet Whitney – Copy  
Served via: ☒ I.O.M.  
[ ] Hand Delivered  
[ ] Fax  
[ ] U.S. Mail

☒ Idaho State Police Forensic Services  
700 South Stratford Drive  
Meridian, ID 83642-6202  
Served via: [ ] I.O.M.  
[ ] Hand Delivered  
☒ U.S. Mail  
[ ] Fax

☒ Probation and Parole – Copy  
Served via: [ ] I.O.M.  
☒ Fax

  
Deputy Clerk



Information on file herein as follows:

**Count 1 – Idaho Code §137-2732(c)(1) F  
Controlled Substance-Possession of, a Felony,**

**IT IS FURTHER ORDERED** that pursuant to Idaho Code §19-2513, you are sentenced as follows: For a total unified sentence not to exceed 4 years, commencing with a fixed term of 2 years, to be followed by an additional 2 years indeterminate.

**IT IS FURTHER ORDERED** that said sentence of incarceration is hereby suspended and you are placed on supervised probation for a period of 3 years from today's date upon the terms and conditions set forth below and upon the attached "Probation Terms and Conditions".

**IT IS FURTHER ORDERED** that you complete a GAIN evaluation and all treatment recommended in the GAIN.

**IT IS FURTHER ORDERED** that you are assessed and ordered to pay a fine in the amount of \$500, inclusive of all counts, to the Clerk of the Court. Such fine shall be paid in full within thirty-six months of your release from custody.

**IT IS FURTHER ORDERED** that you are assessed and ordered to pay court costs in the amount of \$280.50, inclusive of all counts, to the Clerk of the Court. Such costs shall be paid in full within thirty-six months of your release from custody.

**IT IS FURTHER ORDERED** that you shall reimburse the County for the expenses incurred in the defense of this case in the amount of \$300, inclusive of all counts, to the Clerk of the Court. Such reimbursement shall be paid in full within thirty-six months of your release from custody.

**IT IS FURTHER ORDERED** that you shall pay restitution in the amount of \$100, as set forth in a separate judgment. In the event the full amount of restitution has not yet been finalized, the State has sixty days from today's date to either request a restitution hearing or to submit a stipulated restitution order and judgment, unless an extension of time is authorized by this Court. Such restitution shall be paid in full within thirty-six months of your release from custody.

**IT IS FURTHER ORDERED** that you shall pay to the Idaho Department of

Corrections an amount not to exceed one-hundred dollars (\$100) which will be used as reimbursement for its costs of conducting your Presentence Investigation. Such reimbursement shall be paid in full within thirty-six months of your release from custody.

**IT IS FURTHER ORDERED** that payments for any fine, court costs, reimbursement, and restitution ordered herein shall be made payable to the Clerk of the Court in cash, certified check, cashier's check, or money order.

**IT IS FURTHER ORDERED** that you shall be incarcerated in the county jail for 30 days beginning . Work release is not authorized.

**IT IS FURTHER ORDERED** that you shall be given credit for all time served on the above charge(s). The parties stipulate that you have accrued 30 days pre-sentence jail time for which you shall receive credit.

**IT IS FURTHER ORDERED** that you shall complete 100 hours of community service work as ordered by the Court and as approved and directed by your probation officer. You shall perform a minimum of 8 hours per month of community service until your obligation is completed.

**IT IS FURTHER ORDERED** that, pursuant to Idaho Code §19-5506, you are required to provide a DNA sample and a fingerprint impression. Wherefore, you shall pay \$100 restitution to help offset costs incurred by any of the following entitled law enforcement agencies for the expense of DNA analysis: Idaho state police, county or city law enforcement agencies, or the office of the attorney general, county prosecuting attorneys or city attorneys.

**IT IS FURTHER ORDERED** that you shall personally appear and report to Probation and Parole at 1013 Lake Street, Suite 101, Sandpoint, Idaho, telephone number (208) 263-1455, on the next business day, or if you are in custody, no later than the next business day following your release from custody.

**IT IS FURTHER ORDERED** that any bail posted in this matter shall be exonerated, provided that any deposit shall be applied pursuant to Idaho Code §19-2923.

### NOTICE OF RIGHT TO APPEAL

**YOU ARE HEREBY NOTIFIED** that you have a right to appeal this order to the Idaho Supreme Court. Any notice of appeal must be filed within forty-two (42) days of the entry of the written order in this matter.

**YOU ARE FURTHER NOTIFIED** that if you are unable to pay the costs of an appeal, you have the right to apply for leave to appeal in forma pauperis or to apply for the appointment of counsel at public expense. If you have questions concerning your right to appeal, you should consult your present lawyer.

DATED: May 6, 2014.

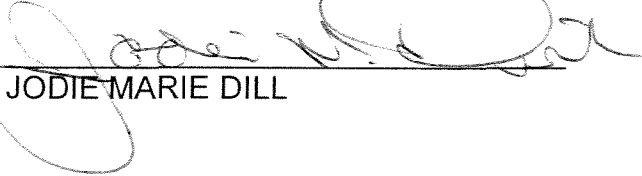


BARBARA BUCHANAN  
District Judge

### RECEIPT BY DEFENDANT

I, the undersigned defendant, hereby acknowledge receipt of a copy of the foregoing order and hereby accept and agree to the attached terms and conditions of probation. By accepting this probation, I do hereby agree that if I am placed on probation to a destination outside the State of Idaho, or if I leave the confines of the State of Idaho, with or without the permission of my Probation officer, I do hereby waive extradition to the State of Idaho. I further agree that I will not contest any effort by any State to return me to the State of Idaho.

DATED: May 6, 2014.



JODIE MARIE DILL



J. HALL, WITNESS

STATE v. Dill

Case No. CR- 13-3324

I, Soren M Dill, have read, or have had my lawyer read to me each of the following conditions of probation set forth in this document. I understand that I may be eligible for probation and I agree to the terms set forth if I am placed on probation. I also understand that the fact I filled out this form does not mean that the judge assigned to my case will place me on probation.

I also understand that placing my initials next to each condition of probation means that I understand the condition of probation and that I agree to comply with that term of probation if it is ordered by the judge.

### PROBATION TERMS AND CONDITIONS

#### Defendant's Initials

1. SD I understand that if probation is granted to me and accepted by me that it is subject to all the terms and conditions agreed to and imposed by the Court. I understand that the Court may at anytime, in a case of a violation of the terms of the probation, cause me to be returned to the Court for imposition of sentence as prescribed by law.
2. SD I will violate no federal, state, or local laws.
3. SD I agree that within twenty-four (24) hours of my release from jail, or a shorter time if ordered by the judge that I will personally appear and report to Probation and Parole, 1013 Lake Street, Suite 101, Sandpoint, Idaho, telephone number (208) 263-0455.
4. SD I agree that I will meet with my probation officer promptly at the times and places required by my probation officer.
5. SD I agree to be under the legal custody and control of the Idaho State Board of Corrections, Division of Probation and Parole.
6. SD I agree to comply with the rules and regulations of the Idaho State Board of Corrections, Division of Probation and Parole.
7. SD I agree that I will obey each and every provision set forth in my "Agreement of Probation" with the Idaho Department of Correction Division of Probation and Parole.
8. SD I agree to reimburse the County for the expenses incurred in the prosecution and/or defense of this case if ordered to do so by the judge.
9. SD I agree to pay the required fee per month for the cost of supervision to the Idaho Department of Correction for every month I am under active probation supervision.



10. JP I agree to pay restitution as set forth in a separate judgment(s).
11. JP I agree to pay a fine to the Clerk of the Court if ordered.
12. JP I agree to complete community service work as ordered by the Court and as approved and directed by my probation officer. I also agree to pay the assessed fees associated with community service.
13. JP I agree that upon request of my probation officer, I shall participate in community service during any period of unemployment.
14. JP I agree to make payments for any fine, court costs, reimbursement, and restitution if ordered by the judge to the Clerk of the Court in cash, by cashier's check, by certified check, or money order.
15. JP I understand that the payments ordered by the judge shall be made in such periodic amounts as my probation officer shall specify and shall be subject to a maximum time period within which to pay as ordered by the court.
16. JP I agree to keep my probation officer advised of my place of residence and I agree that I will not change my place of residence or place of employment without the prior approval of my probation officer.
17. JP I agree that I will complete any substance abuse evaluation and/or education and/or treatment program required by my probation officer.
18. JP I understand that I must participate in any and all programs of rehabilitation as directed by my probation officer, including but not limited to programs of mental health, substance abuse, education, and vocational rehabilitation.
19. JP I understand that I must pay the cost or expense of any inpatient or outpatient treatment program or any other cost or expense of rehabilitation as soon as possible but not later than one (1) year after completion of the program.
20. JP I agree to submit, upon request of my probation officer or a law enforcement officer, without a warrant, to a chemical analysis of my blood, breath or urine, and I agree to pay for the costs of such analysis.
21. JP I agree that I will not purchase, possess, or use any substance intended to alter the results of a urinalysis test for the presence of controlled substances.
22. JP I will not purchase, possess, or use any prescription drug and/or controlled substance without having a current prescription for such drug or controlled substance.
23. JP I agree that I will submit, upon request of my probation officer or a law enforcement officer, without a warrant, to a search of my person, possessions, residence, or vehicle.

24. JD I agree to submit to a polygraph examination at my own expense at any time requested by my probation officer.
25. JD I agree to make every effort to obtain and maintain full-time employment if ordered to do so by the judge.
26. JD I agree to be enrolled as a full-time student if ordered to do so by the judge.
27. JD I agree that I will not associate with individuals specified by my probation officer.
28. JD I agree that I will not purchase, possess, or consume alcoholic beverages.
29. JD I will not be present at any bar, lounge, tavern, or on the premises of any place where the dispensing of alcohol is the major source of income.
30. JD I will not purchase, carry, or have in my possession any firearm or other weapons.
31. JD I agree to waive extradition to the state of Idaho, and further, I agree I will not contest any effort by any state to return me to the state of Idaho.
32. JD I agree I will obtain a general education diploma (G.E.D.) if ordered to do so by the judge.
33. JD I agree I will comply with all curfew restrictions ordered by my probation officer.
34. JD I agree that in addition to any other local incarceration, that I am given ninety (90) days in the county jail to be served and imposed at the discretion of my probation officer and upon the written approval of the District Court.

I agree to comply with all of the terms of probation set forth in this document and all additional terms and conditions of probation ordered by the judge assigned to my case.

Dated this 6 day of May, 20H.

Jada M. [Signature]  
Signature of Defendant

Witnessed by:

Janet Whitney  
Printed Name of Witness

Janet Whitney  
Signed Name of Witness

**CLERK'S CERTIFICATE OF SERVICE**

I hereby certify that on the 7<sup>th</sup> day of May, 2014,  
a true and correct copy of the foregoing was served as follows:

Shane Greenbank, Bonner County Prosecutor  
Served via interoffice mail.

Janet Whitney, Attorney for Defendant

Served via: ☒ Mail ☐ Hand Delivered ☐ Fax

If mailed, mailed to: Courthouse Mail

Bonner County Sheriff's Office

Served via: ☒ Mail ☐ Hand Delivered ☐ Fax

Probation & Parole

dist1@idoc.idaho.gov

Idaho Department of Corrections

centralrecords@idoc.idaho.gov

Cherie Moore  
Deputy Clerk

# COMMUNITY SERVICE CONTRACT

**Jodie Marie Dill**

PO Box 7

Usk, WA 99180

CASE# CR-2013-0003324

DATE: 5/6/2014

DOB: [REDACTED]

PHONE: (509) 447-5125

\*\*\*\*\*

MAY -6 P 2:30

On 5/6/14, You were sentenced to serve 100 hours of community service.  
The Community Service must be completed by 6/6, 2014.  
no less than 8 hrs. a day DEPUTY

Your point of contact concerning all aspects of this community service is the Bonner County Clerk's Office, phone #265-1432. You must do your hours through one of the providers on the list that has been given to you. That organization will sign that you have accomplished the hours listed even if you have been sent by that organization to another party or location. If a provider is not listed, you or they, need to call the above number for approval.

It is YOUR responsibility to see that a job assignment is given to you once you report to your work site. It is YOUR responsibility to see that a proper record is kept of your work hours. It is YOUR responsibility to arrive at the job site ON TIME, lack of transportation is NOT an excuse. In short, ALL THINGS ARE YOUR RESPONSIBILITY and "waiting for instructions" will not be considered an excuse for not complying with the court instructions. If you have any questions about these instructions or about the community service program in general, make sure they're answered to your satisfaction at this time or call the Clerk's Office at any time to clear up any questions you may have.

You are required to report back to the Bonner County Clerk at the first of each month to turn in the hours completed for that month. If you miss two (2) consecutive months, you will be in violation of your probation. IF YOUR FILE BECOMES CLOSED BECAUSE OF INACTIVITY AND YOU RESUME DOING COMMUNITY SERVICE YOU WILL NEED TO REPAY YOUR FEES.

## COMMUNITY SERVICE FEE

In the event the Judge did not mention this during the court proceedings, there is a one time \$20.00 Administration fee plus a sixty cent (\$.60) per hour Workman's compensation insurance fee that must be paid before you can start work in the community service program. Failure to do so could result in hours worked not being considered as hours completed.

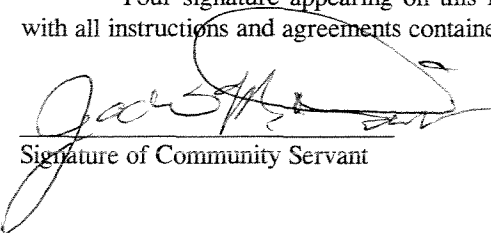
## RELEASE OF INFORMATION

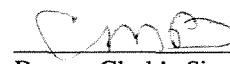
I expressly authorize the Bonner County Clerk's Office to provide relevant information about me, including sentencing information, to the agency for which I will be working. I expressly waive any confidentiality or other restriction involving such release.

## WAIVER OF LIABILITY

I, the undersigned, do hereby release Bonner County, or any political subdivision for whom I may be performing service, from any liability arising from illness, injuries and/or damage I may suffer to myself or any personal property as a result of my participation in performing community service as ordered by the Court; recognizing that I have elected to or been ordered to perform such service in lieu of part or all of my cost, fine and/ or serving part of my jail sentence.

Your signature appearing on this form will be your certification that you have read, understand and agree with all instructions and agreements contained on this form.

  
Signature of Community Servant

  
Deputy Clerk's Signature

Date: 5/6/2014

First Judicial District Court - Bonner County

NO. 0007373

Time: 02:16 PM

Receipt

Page 1 of 1

Received of: Dill, Jodie Marie

\$ 20.00

PO Box 7

Usk, WA 99180

Twenty and 00/100 Dollars

Case: CR-2013-0003324

Defendant: Dill, Jodie Marie

Amount

Community Service Sign Up Fee

20.00

Total:

20.00

Payment Method: Cash

R. Ann Dutson-Sater, Clerk of The District Court

Amount Tendered: 20.00

By: 

Deputy Clerk

Clerk: BRACKETT  
Duplicate

0184

FIRST JUDICIAL DISTRICT COURT, STATE OF IDAHO  
IN AND FOR THE COUNTY OF BONNER  
215 S. FIRST AVENUE  
SANDPOINT, IDAHO 83864

STATE OF IDAHO  
COUNTY OF BONNER  
FIRST JUDICIAL DIST.

2014 MAY -8 A 6:29

CLERK DISTRICT COURT

*cm*  
DEPUTY

STATE OF IDAHO

DATE: 5/8/2014

vs.

CASE NO: CR-2013-0003324

Jodie Marie Dill

Bonner County Sheriff's Office  
FAXED

WARRANT RECALL

**YOU ARE HEREBY NOTIFIED** that a bench warrant issued on Thursday, April 24, 2014, against **Jodie Marie Dill** is being recalled. Please return warrant immediately to this office.

Dated: May 8th, 2014  
R. Ann Dutson-Sater  
Clerk of the District Court

By: *Cherie Moore*  
Deputy Clerk

STATE OF IDAHO  
IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

215 S. First Avenue  
Sandpoint, Idaho 83864  
Phone: (208) 265-1432

2014 MAY -9 A 10:28

STATE OF IDAHO

Plaintiff,

v.

JODIE MARIE DILL (AKA EDWARDS),

DOB: [REDACTED]

DL/ID#: [REDACTED]

SSN: [REDACTED]

Defendant.

Case No: CR-2013-3324 DISTRICT COURT

BENCH WARRANT  
(FELONY)

ORIGINAL  
RECEIVED

APR 25 2014

24109AC

Bonner County 91

TO: ANY SHERIFF, CONSTABLE, MARSHAL, POLICEMAN OR FEDERAL  
OFFICER/AGENT AUTHORIZED TO EFFECTUATE AN ARREST;

You are hereby commanded and directed to arrest JODIE MARIE DILL (AKA EDWARDS), the  
above-named Defendant, DL/ID# [REDACTED] ID, date of birth [REDACTED] Social Security number [REDACTED]  
[REDACTED] to return the Defendant to the jurisdiction of this Court, and bring the Defendant before this Court  
for a Bail Revocation Hearing, pursuant to Idaho Code §19-2919.

Said Bench Warrant is issued upon the Prosecutor's Verified Application of Willful Violation of  
Release / Bond Conditions, filed by the Bonner County Prosecutor's Office, and supported by the  
accompanying Affidavit of Noncompliance Regarding Release Conditions executed by Paul Guthrie,  
Bailiff and Deputy Clerk of the Bonner County District Court, on April 21, 2014, all of which allege  
violation(s) of the terms and conditions of conditional release previously granted to the Defendant in the  
above-entitled matter.

THIS WARRANT IS TO BE SERVED:

(X) Any time of the day or night. ( ) Daytime only.

BOND AMOUNT \$ 40,000

DATED this 23 day of April, 2014.

Bailiff

JUDGE

0186

**RETURN OF SERVICE**

I HEREBY CERTIFY that I received the within Bench Warrant on the \_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_, and served the same by arresting JODIE MARIE DILL (AKA EDWARDS), DOB [REDACTED] SSN [REDACTED]  
[REDACTED] and bringing said person to the above captioned Court this \_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_.

\_\_\_\_\_  
Law Enforcement Officer

\_\_\_\_\_  
Law Enforcement Agency



IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

STATE OF IDAHO

Plaintiff,

v.

JODIE MARIE DILL (AKA EDWARDS),

DOB: [REDACTED]

DL/ID#: [REDACTED]

SSN: [REDACTED]

Defendant.

Case No: CR-2013 - 3324

CLERK DISTRICT COURT

**PROSECUTOR'S VERIFIED  
APPLICATION OF WILLFUL  
VIOLATION OF RELEASE /  
BOND CONDITIONS  
&  
REQUEST FOR WARRANT**

DEPUTY

COMES NOW, the undersigned Prosecuting Attorney for the Bonner County Prosecutor's Office, and hereby moves this Honorable Court to revoke the Defendant's conditional release pursuant to Idaho Criminal Rule 46(i)(1) and Idaho Code §19-2919.

In support of this application the undersigned Prosecuting Attorney, upon oath, alleges that, based on the allegations contained in the Affidavit of Noncompliance Regarding Release Conditions executed by Paul Guthrie, Bailiff and Deputy Clerk of the Bonner County District Court, on April 21, 2014, which are true and accurate to the best of the prosecution's knowledge and belief, the prosecution verifies that it appears the defendant has willfully violated the conditions of pre-trial release. I.C.R. 46(i)(1) provides that, upon a verified application of the prosecuting attorney alleging that a person has willfully violated conditions of the person's release, the Court may issue a warrant directing the person to be arrested and brought before the Court for a Bail Revocation Hearing.

THEREFORE, the prosecution respectfully requests the Court issue a BENCH WARRANT for the Defendant's arrest and schedule a Bail Revocation Hearing once the defendant is apprehended.

I hereby certify that the statements in this Application are the truth, the whole truth and nothing but the truth, so help me God.

DATED this 22<sup>nd</sup> day of April, 2014.

Prosecuting Attorney

SUBSCRIBED and SWORN to before me on this 22 day of April, 2014

Deputy Clerk

Attached: Affidavit of Noncompliance Regarding Release Conditions

PROSECUTOR'S VERIFIED APPLICATION OF WILLFUL VIOLATION OF  
RELEASE/BOND CONDITIONS & REQUEST FOR WARRANT (CR-2013 - 3324)

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

STATE OF IDAHO

Plaintiff,

v.

JODIE MARIE DILL (AKA EDWARDS),

DOB: [REDACTED]

DL/ID# [REDACTED]

SSN: [REDACTED]

Defendant.

Case No: CR-2013-3324

2014 APR 22 A 10:50

AFFIDAVIT OF NONCOMPLIANCE  
REGARDING RELEASE CONDITIONS  
(A FELONY OFFENSE)

DEPUTY

TO: Bonner County Prosecutor's Office

I, Paul Guthrie, being first duly sworn on oath, deposes and says that I am a Bailiff and Deputy Clerk of the Bonner County District Court and that I have reviewed the Court's records in this matter and am able to state that;

1. I am responsible for tracking the compliance of criminal defendants whom the court has released from custody upon certain delineated conditions.
2. This Affidavit does not allege, solely, if at all, any Failure to Appear of the Defendant as a violation of release conditions.
3. On March 25, 2014, Judge Mitchell entered an order setting forth a number of pre-trial release conditions.
4. Specifically, the Defendant was ordered to drug test at the Courthouse two times weekly, 10 Panel U/A, on Mondays & Thursdays, between 730-8am. .
5. The Defendant has failed to comply with said order in the following respect(s):
  - a. DILL has failed to test, even once, since the Order was issued, having missed 8 tests to date. DILL is set for sentencing on May 6, '14 @130pm.
6. Therefore, it appears that the Defendant has willfully violated the Court ordered conditions of release.

WHEREFORE, this Affidavit will be delivered to the appropriate prosecuting authority for further action, pursuant to I.C.R 46(i)(1).

DATED April 21, 2014.

PAUL GUTHRIE  
Bailiff and Deputy Clerk

SUBSCRIBED AND SWORN to before me on April 21, 2014.

DEPUTY CLERK

CC: Court File  
Bonner County Prosecutor's Office

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER  
MAGISTRATE DIVISION

STATE OF IDAHO

PLAINTIFF,

VS.

Jodie M. Edwards  
DEFENDANT

CASE NO. CRF2013-3327

**ORDER SETTING BOND AND  
CONDITIONS OF RELEASE**

AMENDED

Defendant's bond, in the above entitled matter, is hereby set at \$ OR, and, in addition, the defendant shall abide by the CONDITIONS OF RELEASE set forth below:

       [ ] No contact, [ ] in person, [ ] by phone, [ ] electronic, [ ] written, [ ] by third person with:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

       ☒ The Defendant shall, at any time, submit to a search of his/her person, residence, vehicle (including any vehicle which the Defendant is operating) at the request of any law enforcement officer.

       ☒ The Defendant is required to report for, and submit a valid sample for:  
☒ Drug testing [ ] BAC testing [ ] Both Drug and BAC testing  
Every: ☒ Mon [ ] Tues [ ] Wed ☒ Thurs [ ] Fri [ ] Sat [ ] Sun  
BAC testing: [ ] once daily [ ] twice daily  
Drug testing: [ ] once weekly [ ] twice weekly [ ] 3 times weekly

Defendant shall report to the: ☒ Bonner County Courthouse (weekdays only)

[ ] Bonner County Jail (including all Holidays & Weekends)

Between 7:30 AM and/or 8:00 ~~PM~~ AM

       ☒ If Defendant: ☒ tests positive for the presence of any illegal controlled substance or  
[ ] blows positive for the presence of alcohol

☒ Defendant's O.R. release or bond shall be revoked.

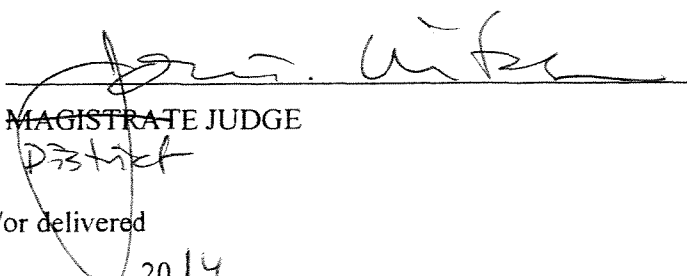
☒ Defendant shall be immediately taken into custody.

- ☐ Defendant shall be responsible for the cost of all testing.
- ☐ Defendant shall sign a **Waiver of Extradition** prior to his/her release.
- ☐ Defendant shall not consume or possess any alcohol.
- ☐ Defendant shall not drive any motor vehicle.
- ☐ Defendant shall violate no law. (Infractions are excluded for these purposes.)
- ☐ Other: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Any officer having reasonable grounds to believe that the Defendant has violated any of these conditions of release may take the above named Defendant into custody and shall notify the Court, by the next business day, that the Defendant has been detained and the reason for such detention.

Upon such return to custody, the jail shall not release the Defendant until the presiding Judge further directs.

Dated this 28th day of March, 2014.

  
 MAGISTRATE JUDGE

Copies of the foregoing were mailed, faxed, and/or delivered  
 this 28th day of March, 2014.

- ☒ Defendant / Defense Attorney (Taner Unlutug) } Faxed
- ☒ Prosecuting Attorney (Shane Greenbank)
- ☒ Corrections-Bonner County Jail
- ☐ Bonner County Sheriff's Office-Records

**BONNER COUNTY PROSECUTING ATTORNEY**

127 S. First Avenue  
Sandpoint, ID 83864  
(208) 263-6714  
(208) 263-6726 (facsimile)

*Assigned Prosecutor:*  
**SHANE GREENBANK**

STATE OF IDAHO  
County of Bonner } ss  
FILED 8-7-13  
AT 130 O'Clock 2 M  
CLERK. W DISTRICT COURT  
Deputy

**ORIGINAL**

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

**STATE OF IDAHO**

Plaintiff,

v.

**JODIE MARIE DILL**  
**aka JODIE MARIE EDWARDS,**  
DOB [REDACTED]  
SSN: [REDACTED]

Defendant.

Case No: **CR-2013-3324**

**INFORMATION**

AGENCY: BCSO #13-011950

**COMES NOW**, Shane Greenbank, Chief Deputy Prosecuting Attorney for Bonner County, State of Idaho, and complains that the above named defendant did commit the crime of: **POSSESSION OF A CONTROLLED SUBSTANCE, METHAMPHETAMINE**, a Felony offense pursuant to Idaho Code §37-2732(c)(1), committed as follows:

The Defendant, **JODIE MARIE DILL, aka JODIE MARIE EDWARDS**, on or about the 4<sup>th</sup> day of July, 2013, in the County of Bonner, State of Idaho, did unlawfully possess a controlled substance, to-wit: Methamphetamine, a Schedule II controlled substance.

All of which is contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Idaho.

**WHEREFORE**, Complainant prays that the Defendant be dealt with according to law.

**DATED** this 2<sup>nd</sup> day of August, 2013.

  
**SHANE GREENBANK, COMPLAINANT**  
**CHIEF DEPUTY PROSECUTOR**

**CERTIFICATE OF SERVICE**

I hereby certify that on the 2 day of August, 2013, I caused to be served a true and correct copy of the foregoing document as follows:

Court File - Original

Janet Whitney - Copy  
Attorney for Defendant  
Hand Delivered

  
**SHANE GREENBANK**

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

215 S. First Avenue  
Sandpoint, Idaho 83864  
Phone: (208) 265-1432

STATE OF IDAHO

Plaintiff,

v.

JODIE MARIE DILL (AKA EDWARDS),

DOB [REDACTED]

DL/ID# [REDACTED]

SSN: [REDACTED]

Defendant.

Case No: CR-2013 - 3324

BENCH WARRANT  
(FELONY)

COPY

TO: ANY SHERIFF, CONSTABLE, MARSHAL, POLICEMAN OR FEDERAL  
OFFICER/AGENT AUTHORIZED TO EFFECTUATE AN ARREST;

You are hereby commanded and directed to arrest JODIE MARIE DILL (AKA EDWARDS), the  
above-named Defendant, DL/ID# [REDACTED] ID, date of birth [REDACTED] Social Security number [REDACTED]  
[REDACTED] to return the Defendant to the jurisdiction of this Court, and bring the Defendant before this Court  
for a Bail Revocation Hearing, pursuant to Idaho Code §19-2919.

Said Bench Warrant is issued upon the Prosecutor's Verified Application of Willful Violation of  
Release / Bond Conditions, filed by the Bonner County Prosecutor's Office, and supported by the  
accompanying Affidavit of Noncompliance Regarding Release Conditions executed by Paul Guthrie,  
Bailiff and Deputy Clerk of the Bonner County District Court, on April 21, 2014, all of which allege  
violation(s) of the terms and conditions of conditional release previously granted to the Defendant in the  
above-entitled matter.

THIS WARRANT IS TO BE SERVED:

☒ Any time of the day or night. ☐ Daytime only.

BOND AMOUNT \$ 40,000

DATED this 23 day of April, 2014.

*Bah Bah*

JUDGE

RETURN OF SERVICE

I HEREBY CERTIFY that I received the within Bench Warrant on the \_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_, and served the same by arresting JODIE MARIE DILL (AKA EDWARDS), DOB [REDACTED] SSN  
[REDACTED] and bringing said person to the above captioned Court this \_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_.

\_\_\_\_\_  
Law Enforcement Officer

\_\_\_\_\_  
Law Enforcement Agency



IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

APR 22 A 10:51

STATE OF IDAHO

Plaintiff,

v.

JODIE MARIE DILL (AKA EDWARDS),

DOB [REDACTED]

DL/ID# [REDACTED]

SSN: [REDACTED]

Defendant.

Case No: CR-2013 - 3324

CLERK DISTRICT COURT

cm

PROSECUTOR'S VERIFIED  
APPLICATION OF WILLFUL  
VIOLATION OF RELEASE /  
BOND CONDITIONS  
&  
REQUEST FOR WARRANT

DEPUTY

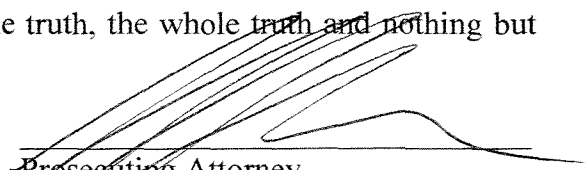
COMES NOW, the undersigned Prosecuting Attorney for the Bonner County Prosecutor's Office, and hereby moves this Honorable Court to revoke the Defendant's conditional release pursuant to Idaho Criminal Rule 46(i)(1) and Idaho Code §19-2919.

In support of this application the undersigned Prosecuting Attorney, upon oath, alleges that, based on the allegations contained in the Affidavit of Noncompliance Regarding Release Conditions executed by Paul Guthrie, Bailiff and Deputy Clerk of the Bonner County District Court, on April 21, 2014, which are true and accurate to the best of the prosecution's knowledge and belief, the prosecution verifies that it appears the defendant has willfully violated the conditions of pre-trial release. I.C.R. 46(i)(1) provides that, upon a verified application of the prosecuting attorney alleging that a person has willfully violated conditions of the person's release, the Court may issue a warrant directing the person to be arrested and brought before the Court for a Bail Revocation Hearing.

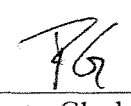
THEREFORE, the prosecution respectfully requests the Court issue a BENCH WARRANT for the Defendant's arrest and schedule a Bail Revocation Hearing once the defendant is apprehended.

I hereby certify that the statements in this Application are the truth, the whole truth and nothing but the truth, so help me God.

DATED this 22<sup>nd</sup> day of April, 2014.

  
Prosecuting Attorney

SUBSCRIBED and SWORN to before me on this 22 day of April, 2014

  
Deputy Clerk

Attached: Affidavit of Noncompliance Regarding Release Conditions

PROSECUTOR'S VERIFIED APPLICATION OF WILLFUL VIOLATION OF  
RELEASE/BOND CONDITIONS & REQUEST FOR WARRANT (CR-2013 - 3324)

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

STATE OF IDAHO

Plaintiff,

v.

JODIE MARIE DILL (AKA EDWARDS),

DOB: [REDACTED]

DL/ID#: [REDACTED]

SSN: [REDACTED]

Defendant.

Case No: CR-2013-3324

2014 APR 22 A 10:50

AFFIDAVIT OF NONCOMPLIANCE  
REGARDING RELEASE CONDITIONS  
(A FELONY OFFENSE)

DEPUTY

TO: Bonner County Prosecutor's Office

I, Paul Guthrie, being first duly sworn on oath, deposes and says that I am a Bailiff and Deputy Clerk of the Bonner County District Court and that I have reviewed the Court's records in this matter and am able to state that;

1. I am responsible for tracking the compliance of criminal defendants whom the court has released from custody upon certain delineated conditions.
2. This Affidavit does not allege, solely, if at all, any Failure to Appear of the Defendant as a violation of release conditions.
3. On March 25, 2014, Judge Mitchell entered an order setting forth a number of pre-trial release conditions.
4. Specifically, the Defendant was ordered to drug test at the Courthouse two times weekly, 10 Panel U/A, on Mondays & Thursdays, between 730-8am.
5. The Defendant has failed to comply with said order in the following respect(s):
  - a. DILL has failed to test, even once, since the Order was issued, having missed 8 tests to date. DILL is set for sentencing on May 6, '14 @130pm.
6. Therefore, it appears that the Defendant has willfully violated the Court ordered conditions of release.

WHEREFORE, this Affidavit will be delivered to the appropriate prosecuting authority for further action, pursuant to I.C.R 46(i)(1).

DATED April 21, 2014.

PAUL GUTHRIE  
Bailiff and Deputy Clerk

SUBSCRIBED AND SWORN to before me on April 21, 2014.

DEPUTY CLERK

CC: Court File  
Bonner County Prosecutor's Office

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER  
MAGISTRATE DIVISION

STATE OF IDAHO

PLAINTIFF,

VS.

Jodie M. Edwards  
DEFENDANT

CASE NO. CRF 2013-3327

**ORDER SETTING BOND AND  
CONDITIONS OF RELEASE**

AMENDED

Defendant's bond, in the above entitled matter, is hereby set at \$ OR, and, in addition, the defendant shall abide by the CONDITIONS OF RELEASE set forth below:

     ☐ No contact, ☐ in person, ☐ by phone, ☐ electronic, ☐ written, ☐ by third person with:

     ☒ The Defendant shall, at any time, submit to a search of his/her person, residence, vehicle (including any vehicle which the Defendant is operating) at the request of any law enforcement officer.

     ☒ The Defendant is required to report for, and submit a valid sample for:  
☒ Drug testing ☐ BAC testing ☐ Both Drug and BAC testing  
Every: ☒ Mon ☐ Tues ☐ Wed ☒ Thurs ☐ Fri ☐ Sat ☐ Sun  
BAC testing: ☐ once daily ☐ twice daily  
Drug testing: ☐ once weekly ☐ twice weekly ☐ 3 times weekly

Defendant shall report to the: ☒ Bonner County Courthouse (weekdays only)

☐ Bonner County Jail (including all Holidays & Weekends)

Between 7:30 AM and/or 8:00 PM AM

     ☒ If Defendant: ☒ tests positive for the presence of any illegal controlled substance or  
☐ blows positive for the presence of alcohol

☒ Defendant's O.R. release or bond shall be revoked.

☒ Defendant shall be immediately taken into custody.

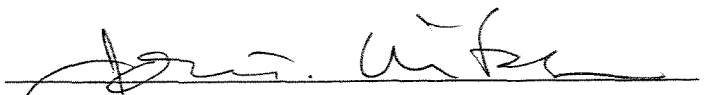
- \_\_\_\_ [ ] Defendant shall be responsible for the cost of all testing.
- \_\_\_\_ [ ] Defendant shall sign a **Waiver of Extradition** prior to his/her release.
- \_\_\_\_ [ ] Defendant shall not consume or possess any alcohol.
- \_\_\_\_ [ ] Defendant shall not drive any motor vehicle.
- \_\_\_\_ [ ] Defendant shall violate no law. (Infractions are excluded for these purposes.)

\_\_\_\_ [ ] Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Any officer having reasonable grounds to believe that the Defendant has violated any of these conditions of release may take the above named Defendant into custody and shall notify the Court, by the next business day, that the Defendant has been detained and the reason for such detention.

Upon such return to custody, the jail shall not release the Defendant until the presiding Judge further directs.

Dated this 28th day of March, 2014.

  
MAGISTRATE JUDGE  
District

Copies of the foregoing were mailed, faxed, and/or delivered  
this 28th day of March, 2014.

- [X] Defendant / Defense Attorney (Tanner Whitney)  
[X] Prosecuting Attorney (Shane Greenbank) } Faxed  
[X] Corrections-Bonner County Jail  
[ ] Bonner County Sheriff's Office-Records

**BONNER COUNTY PROSECUTING ATTORNEY**

127 S. First Avenue  
Sandpoint, ID 83864  
(208) 263-6714  
(208) 263-6726 (facsimile)

*Assigned Prosecutor:*  
**SHANE GREENBANK**

STATE OF IDAHO  
County of Bonner } ss  
FILED 8-7-13  
AT 13 O'Clock 8 M  
CLERK. DISTRICT COURT  
Deputy

**ORIGINAL**

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

**STATE OF IDAHO**

Plaintiff,

v.

**JODIE MARIE DILL**  
**aka JODIE MARIE EDWARDS,**  
DOB [REDACTED]  
SSN: [REDACTED]

Defendant.

Case No: **CR-2013-3324**

**INFORMATION**

AGENCY: BCSO #13-011950

**COMES NOW**, Shane Greenbank, Chief Deputy Prosecuting Attorney for Bonner County, State of Idaho, and complains that the above named defendant did commit the crime of: **POSSESSION OF A CONTROLLED SUBSTANCE, METHAMPHETAMINE**, a Felony offense pursuant to Idaho Code §37-2732(c)(1), committed as follows:

The Defendant, **JODIE MARIE DILL, aka JODIE MARIE EDWARDS**, on or about the 4<sup>th</sup> day of July, 2013, in the County of Bonner, State of Idaho, did unlawfully possess a controlled substance, to-wit: Methamphetamine, a Schedule II controlled substance.

All of which is contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Idaho.

**WHEREFORE**, Complainant prays that the Defendant be dealt with according to law.

**DATED** this 27<sup>th</sup> day of August, 2013.

  
**SHANE GREENBANK, COMPLAINANT**  
**CHIEF DEPUTY PROSECUTOR**

**CERTIFICATE OF SERVICE**

I hereby certify that on the 7 day of August, 2013, I caused to be served a true and correct copy of the foregoing document as follows:

Court File - Original

Janet Whitney - Copy  
Attorney for Defendant  
Hand Delivered

  
**SHANE GREENBANK**

FIRST JUDICIAL DISTRICT COURT, STATE OF IDAHO  
IN AND FOR THE COUNTY OF BONNER  
215 S. FIRST AVENUE  
SANDPOINT, IDAHO 83864

STATE OF IDAHO  
COUNTY OF BONNER  
FIRST JUDICIAL DIST.

2014 MAY -8 A 6:29

CLERK DISTRICT COURT

STATE OF IDAHO

DATE: 5/8/2014

*cm*  
DEPUTY

vs.

CASE NO: CR-2013-0003324

Jodie Marie Dill

Bonner County Sheriff's Office  
FAXED

RECEIVED

MAY 08 2014

24/09 AP

Bonner County 911

WARRANT RECALL

**YOU ARE HEREBY NOTIFIED** that a bench warrant issued on Thursday, April 24, 2014, against **Jodie Marie Dill** is being recalled. Please return warrant immediately to this office.

Dated: May 8th, 2014  
R. Ann Dutson-Sater  
Clerk of the District Court

By:

*Cherie Moore*  
Deputy Clerk

Recall Warrant of Arrest



Office of the  
BONNER COUNTY PROSECUTING ATTORNEY

127 S. First Avenue  
Sandpoint, Idaho 83864-1300

(208) 263-6714  
Fax: (208) 263-6726

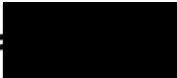
**NCIC WANTED PERSON ENTRY AUTHORIZATION**

TO: BONNER COUNTY SHERIFF'S OFFICE

RE: JODIE MARIE DILL (AKA EDWARDS)  
3324

COURT CASE NO.: CR-2013 -

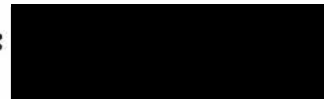
DOB:



SSN:



DL/ID#:



**This is your authorization to enter the above-mentioned Defendant into NCIC.** The Bonner County Prosecuting Attorney's Office will extradite from:

- ☐ IDAHO ONLY  
☐ H & MONTANA  
☒ NATIONWIDE  
☐ \_\_\_\_\_

SIGNED this 22<sup>nd</sup> day of April, \_\_\_\_\_.

  
\_\_\_\_\_  
PROSECUTING ATTORNEY

REMOVE

FROM

NCIC:

SIGNED: \_\_\_\_\_ DATE: \_\_\_\_\_



ORIGINAL

BONNER COUNTY PUBLIC DEFENDER

**JANET K. WHITNEY (ISBN: 6624)**

123 S. First Ave.

Sandpoint, Idaho 83864

Phone: (208) 255-7889; Fax: (208) 255-7559

STATE OF IDAHO  
COUNTY OF BONNER  
DISTRICT JUDICIAL DIST.

2014 MAY 27 P 2:38

CLERK DISTRICT COURT  
SNUR  
DEPUTY

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

**STATE OF IDAHO,**

Plaintiff,

V.

**JODIE M. EDWARDS,**

Defendant.

**CASE NUMBER CR-13-0003324**

**MOTION FOR APPOINTMENT OF  
STATE APPELLATE PUBLIC DEFENDER**

COMES NOW, the above-named defendant, by and through her attorney, Janet K. Whitney, Public Defender, and hereby moves the Court for an Order pursuant to Idaho Code §19-867, et seq., and I.A.R. Rule 13(b), (12) and (19) for its order appointing the State Appellate Public Defender's Office to represent the Appellant in all further appellate proceedings and allowing counsel for the Defendant to withdraw as counsel of record. This motion is brought on the grounds and for the reasons that the Defendant is currently being represented by the Office of the Public Defender, Bonner County; the State Appellate Public Defender is authorized by statute to represent the Defendant in all felony appellate proceedings; and it is in the interest of justice,

**MOTION FOR APPOINTMENT OF STATE  
APPELLATE PUBLIC DEFENDER**

-1-

0204

for them to do so in this case since the Defendant is indigent, and any further proceedings on this case will be appealed.

DATED this 27 day of May, 2014.

OFFICE OF THE BONNER  
COUNTY PUBLIC DEFENDER

BY:

Janet Whitney  
JANET K. WHITNEY  
PUBLIC DEFENDER

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this 27 day of May, 2014, served a true and correct copy of the attached MOTION FOR APPOINTMENT OF STATE APPELLATE PUBLIC DEFENDER via interoffice mail or as otherwise indicated upon the parties as follows:

_____ Bonner County Prosecuting Attorney	<input checked="" type="checkbox"/>	Intercourthouse Mail
P.O. Box 1486	<input type="checkbox"/>	Certified Mail
Sandpoint, Idaho 83864	<input type="checkbox"/>	Facsimile
	<input type="checkbox"/>	Courthouse Mail

_____ State Appellate Public Defender	<input type="checkbox"/>	First Class Mail
3050 N. Lake Harbor, Suite 100	<input checked="" type="checkbox"/>	Facsimile
Boise, Idaho 83703	<input type="checkbox"/>	Certified Mail
	<input type="checkbox"/>	Facsimile

_____ Lawrence Wasden	<input type="checkbox"/>	First Class Mail
Attorney General	<input type="checkbox"/>	Certified Mail
P. O. Box 83720	<input checked="" type="checkbox"/>	Facsimile
Boise, Idaho 83720-0010		

\_\_\_\_\_ Reporter for District Judge Barbara Buchanan, Valerie Larson

☒ Intercourthouse Mail

MOTION FOR APPOINTMENT OF STATE  
APPELLATE PUBLIC DEFENDER

-2-

0205

BONNER COUNTY PUBLIC DEFENDER

**JANET K. WHITNEY (ISBN: 6624)**

123 S. First Ave.

Sandpoint, Idaho 83864

Phone: (208) 255-7889; Fax: (208) 255-7559

**ORIGINAL**

CLERK OF DISTRICT COURT  
CLERK OF DISTRICT COURT  
CLERK OF DISTRICT COURT

2014 MAY 27 P 2:38

DNH

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER  
MAGISTRATE DIVISION**

**STATE OF IDAHO,**

Plaintiff/  
Respondent,

V.

**JODIE M. EDWARDS,**

Defendant/  
Appellant.

**CASE NUMBER CR-13-0003324**

**NOTICE OF APPEAL**

**TO: THE ABOVE NAMED RESPONDENT, STATE OF IDAHO, AND THE  
CLERK OF THE ABOVE ENTITLED COURT:**

1. The above named Appellant hereby appeals against the above named Respondent, the State of Idaho, to the Idaho Supreme Court from the final Judgment and Sentence entered in the above-entitled matter on May 6, 2014, the Honorable Barbara Buchanan, presiding.

2. That the party has a right to appeal to the Idaho Supreme Court, and the Judgment described above in paragraph one, is an appealable Judgment under and pursuant to Idaho Appellate Rule 11(c)(1).

3. The issues Appellant intends to assert in this appeal include, but are not necessarily limited to:

Denial of Motion to Suppress; Unlawful Stop

4. Appellant requests the preparation of the entire reporter's standard transcript as defined in Rule 25 I.A.R., and to also include the following, pursuant to Rule 25 (b).

5. The Appellant requests the following documents to be included in the clerk's record in addition to those automatically included under Rule 28 I.A.R.:

**Motion to Suppress filed September 20, 2013.**

**Defendant's Brief in Support of Motion to Suppress filed November 5, 2013.**

**Memorandum Decision and Order re: Defendant's Motion to Suppress**

**Rule 11 Conditional Plea filed in open court December 17, 2013.**

**Stipulation for Hearing on Defendant's Motion to Suppress filed November 5, 2013.**

6. I hereby certify as follows:

A. A copy of this Notice of Appeal has been served upon the court reporter.

B. The Appellant is exempt from paying the estimated transcript fee because the Appellant is an indigent who is represented by the Office of the Bonner County Public Defender.

C. The Appellant is exempt from paying the filing fee because the Appellant is an indigent who is represented by the Office of the Bonner County Public Defender.

D. The Appellant is exempt from paying the estimated fee for the preparation of the record because the Appellant is an indigent who is represented by the Office of the Bonner County Public Defender.

E. Service has been made upon all parties required to be served pursuant to Rule 20 I.A.R., to wit the Bonner County Prosecuting Attorney, and the Attorney General of Idaho pursuant to Section 67-1401 (1) Idaho Code.

DATED this 27 day of May, 2014.

OFFICE OF THE BONNER  
COUNTY PUBLIC DEFENDER

BY: Janet Whitney  
JANET K. WHITNEY  
PUBLIC DEFENDER

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I have this 27 day of May, 2014, served a true and correct copy of the attached NOTICE OF APPEAL via interoffice mail or as otherwise indicated upon the parties as follows:

_____ Bonner County Prosecuting Attorney	<input checked="" type="checkbox"/>	Intercourthouse Mail
P.O. Box 1486	<input type="checkbox"/>	Certified Mail
Sandpoint, Idaho 83864	<input type="checkbox"/>	Facsimile
_____ State Appellate Public Defender	<input type="checkbox"/>	First Class Mail
P.O. Box 83720	<input type="checkbox"/>	Certified Mail
Boise, Idaho 83720-0005	<input checked="" type="checkbox"/>	Facsimile
_____ Lawrence Wasden	<input type="checkbox"/>	First Class Mail
Attorney General	<input type="checkbox"/>	Certified Mail
P.O. Box 83720	<input checked="" type="checkbox"/>	Facsimile
Boise, Idaho 83720-0010		
_____ Reporter for District Judge Barbara Buchanan, Valerie Larson	<input checked="" type="checkbox"/>	Intercourthouse Mail

S. Myer

BONNER COUNTY PUBLIC DEFENDER  
**JANET K. WHITNEY (ISBN: 6624)**  
123 S. First Ave.  
Sandpoint, Idaho 83864  
Phone: (208) 255-7889; Fax: (208) 255-7559

CLERK OF DISTRICT COURT  
CLERK OF DISTRICT COURT  
CLERK OF DISTRICT COURT  
2014 JUN -5 A 9:30

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**


<b>STATE OF IDAHO,</b>	)	
	)	
Plaintiff,	)	<b>CASE NUMBER CR-13-0003324</b>
	)	
V.	)	<b>ORDER FOR APPOINTMENT OF STATE</b>
	)	<b>APPELLATE PUBLIC DEFENDER</b>
	)	
<b>JODIE M. EDWARDS,</b>	)	
	)	
Defendant.	)	

The Court having reviewed and considered the Defendant's Motion for Appointment of State Appellate Public Defender good cause appearing therefore;

IT IS HEREBY ORDERED that the State Appellate Public Defender's Office is appointed to represent the Defendant in all further appellate proceedings.

IT IS FURTHER ORDERED that the Bonner County Public Defender is allowed to withdraw as counsel of record.

DATED this 3 day of June, 2014.

  
\_\_\_\_\_  
BARBARA BUCHANAN  
DISTRICT JUDGE

ORDER FOR APPOINTMENT OF STATE  
APPELLATE PUBLIC DEFENDER

-1-

0209

### CLERK'S CERTIFICATE

I HEREBY CERTIFY that I have this 5<sup>th</sup> day of ~~May~~ <sup>June</sup>, 2014, served a true and correct copy of the attached ORDER FOR APPOINTMENT OF STATE APPELLATE PUBLIC DEFENDER via interoffice mail or as otherwise indicated upon the parties as follows:

_____ Bonner County Public Defender	<input checked="" type="checkbox"/>	Intercourthouse Mail
406 S. Ella Street	<input type="checkbox"/>	Certified Mail
Sandpoint, Idaho 83864	<input type="checkbox"/>	Facsimile
	<input type="checkbox"/>	Courthouse Mail
_____ Bonner County Prosecuting Attorney	<input checked="" type="checkbox"/>	First Class Mail
P.O. Box 1486	<input type="checkbox"/>	Certified Mail
Sandpoint, Idaho 83864	<input type="checkbox"/>	Facsimile
	<input checked="" type="checkbox"/>	Courthouse Mail
_____ State Appellate Public Defender	<input checked="" type="checkbox"/>	First Class Mail
3050 N. Lake Harbor, Suite 100	<input type="checkbox"/>	Facsimile
Boise, Idaho 83703	<input type="checkbox"/>	Certified Mail
	<input type="checkbox"/>	Facsimile
_____ Lawrence Wasden	<input checked="" type="checkbox"/>	First Class Mail
Attorney General	<input type="checkbox"/>	Certified Mail
P.O. Box 83720	<input type="checkbox"/>	Facsimile
Boise, Idaho 83720-0010		
_____ Reporter for District Judge Barbara Buchanan, Valerie Larson	<input checked="" type="checkbox"/>	Intercourthouse Mail

Baranee H.

# In the Supreme Court of the State of Idaho

STATE OF IDAHO,

Plaintiff-Respondent,

v.

JODIE MARIE EDWARDS,

Defendant-Appellant.

STATE OF IDAHO )  
County of Bonner )  
FILED June 13, 2014  
AT 9:55 O'Clock ) A.M.  
CLERK, DISTRICT COURT

Deputy

DMH

ORDER RE: AMENDED NOTICE OF  
APPEAL

Supreme Court Docket No. 42202-2014  
Bonner County No. 2013-3324

The Notice of Appeal filed May 27, 2014 with the District Court and June 9, 2014 with this Court is not in compliance with Idaho Appellate Rule 17, for the reason the transcripts requested are not listed by date(s) and title(s); therefore,

IT HEREBY IS ORDERED that this appeal be, and hereby is SUSPENDED in order for Appellant to file an AMENDED NOTICE OF APPEAL in compliance with Idaho Appellate Rules 17, by listing by date(s) and title(s) of the transcripts to be prepared, with the District Court Clerk within fourteen (14) days from the date of this Order.

IT FURTHER IS ORDERED that this appeal is SUSPENDED until further notice.

DATED this 12 day of June, 2014.

For the Supreme Court

Stephen W. Kenyon  
Stephen W. Kenyon, Clerk

cc: Counsel of Record  
District Court Clerk  
District Court Reporter

ORDER RE: AMENDED NOTICE OF APPEAL – Docket No. 42202-2014

0211



BONNER COUNTY PUBLIC DEFENDER

JANET K. WHITNEY (ISBN: 6624)

123 S. First Ave.

Sandpoint, Idaho 83864

Phone: (208) 255-7889; Fax: (208) 255-7559

ORIGINAL

CLERK OF DISTRICT COURT  
STATE OF IDAHO  
COUNTY OF BONNER  
JUDICIAL DIST.

2014 MAY 27 P 2:30

DMH

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER  
MAGISTRATE DIVISION

STATE OF IDAHO,

Plaintiff/  
Respondent,

V.

JODIE M. EDWARDS,

Defendant/  
Appellant.

CASE NUMBER CR-13-0003324

NOTICE OF APPEAL

Supreme Court No. 42202

FILED  
DISTRICT COURT  
COUNTY OF BONNER  
JUN 9 2014

TO: THE ABOVE NAMED RESPONDENT, STATE OF IDAHO, AND THE  
CLERK OF THE ABOVE ENTITLED COURT:

1. The above named Appellant hereby appeals against the above named Respondent, the State of Idaho, to the Idaho Supreme Court from the final Judgment and Sentence entered in the above-entitled matter on May 6, 2014, the Honorable Barbara Buchanan, presiding.

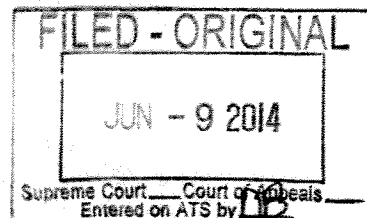
2. That the party has a right to appeal to the Idaho Supreme Court, and the Judgment described above in paragraph one, is an appealable Judgment under and pursuant to Idaho Appellate Rule 11(c)(1).

3. The issues Appellant intends to assert in this appeal include, but are not necessarily limited to:

Denial of Motion to Suppress; Unlawful Stop

NOTICE OF APPEAL

Page 1



0212

4. Appellant requests the preparation of the entire reporter's standard transcript as defined in Rule 25 I.A.R., and to also include the following, pursuant to Rule 25 (b).

5. The Appellant requests the following documents to be included in the clerk's record in addition to those automatically included under Rule 28 I.A.R.:

**Motion to Suppress filed September 20, 2013.**

**Defendant's Brief in Support of Motion to Suppress filed November 5, 2013.**

**Memorandum Decision and Order re: Defendant's Motion to Suppress**

**Rule 11 Conditional Plea filed in open court December 17, 2013.**

**Stipulation for Hearing on Defendant's Motion to Suppress filed November 5, 2013.**

6. I hereby certify as follows:

A. A copy of this Notice of Appeal has been served upon the court reporter.

B. The Appellant is exempt from paying the estimated transcript fee because the Appellant is an indigent who is represented by the Office of the Bonner County Public Defender.

C. The Appellant is exempt from paying the filing fee because the Appellant is an indigent who is represented by the Office of the Bonner County Public Defender.

D. The Appellant is exempt from paying the estimated fee for the preparation of the record because the Appellant is an indigent who is represented by the Office of the Bonner County Public Defender.

E. Service has been made upon all parties required to be served pursuant to Rule 20 I.A.R., to wit the Bonner County Prosecuting Attorney, and the Attorney General of Idaho pursuant to Section 67-1401 (1) Idaho Code.

DATED this 27 day of May, 2014.

OFFICE OF THE BONNER  
COUNTY PUBLIC DEFENDER

BY: Janet Whitney  
JANET K. WHITNEY  
PUBLIC DEFENDER

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I have this 27 day of May, 2014, served a true and correct copy of the attached NOTICE OF APPEAL via interoffice mail or as otherwise indicated upon the parties as follows:

\_\_\_\_\_ Bonner County Prosecuting Attorney ☒ Intercourthouse Mail  
P.O. Box 1486 ☐ Certified Mail  
Sandpoint, Idaho 83864 ☐ Facsimile

\_\_\_\_\_ State Appellate Public Defender ☐ First Class Mail  
P.O. Box 83720 ☐ Certified Mail  
Boise, Idaho 83720-0005 ☒ Facsimile

\_\_\_\_\_ Lawrence Wasden ☐ First Class Mail  
Attorney General ☐ Certified Mail  
P.O. Box 83720 ☒ Facsimile  
Boise, Idaho 83720-0010

\_\_\_\_\_ Reporter for District Judge Barbara Buchanan, Valerie Larson  
☒ Intercourthouse Mail

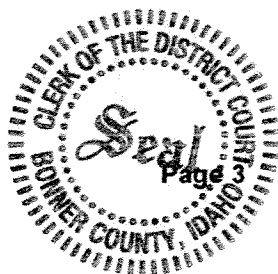
S. Ruffe

STATE OF IDAHO  
County of Bonner  
I, R. Ann Dutton-Sater, Clerk of the District Court of the First Judicial District of the State of Idaho, in and for the County of Bonner, do hereby certify that the foregoing instrument is a true and correct copy of the original filed for record in this office, except as redacted.

Witness my hand and seal of said Court on this, the 5<sup>th</sup> day of June, 2014.

BONNER COUNTY CLERK  
By Baranee H. Deputy

NOTICE OF APPEAL



IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE STATE OF IDAHO  
IN AND FOR THE COUNTY OF BONNER

STATE OF IDAHO,

Plaintiff / Respondent,

vs.

JODIE MARIE EDWARDS,

Defendant / Appellant.

CLERK'S CERTIFICATE OF APPEAL 2014 JUN 12 PM 9:17

Supreme Court Docket No. 42202  
Bonner County Case No. CR2013-3324

APPEALED FROM: FIRST JUDICIAL DISTRICT, BONNER COUNTY.

HONORABLE: BARBARA BUCHANAN PRESIDING. COURT CASE NO. CR2013-3324.

APPEALED FROM: THE FELONY JUDGMENT (PROBATION) filed MAY 6, 2014.

ATTORNEY FOR APPELLANT: SARA B. THOMAS.

ATTORNEY FOR RESPONDENT: LAWRENCE WASDEN.

APPEALED BY: JODIE M. EDWARDS.

APPEALED AGAINST: STATE OF IDAHO.

NOTICE OF AMENDED APPEAL FILED: NO

NOTICE OF CROSS-APPEAL FILED: NO

APPELLATE FEE PAID: NOT APPLICABLE

ESTIMATED FEE FOR TRANSCRIPTS PAID: NOT APPLICABLE

ESTIMATED FEE FOR PREPARATION OF CLERK'S RECORD PAID: NOT APPLICABLE

REQUEST FOR ADDITIONAL CLERK'S RECORD FILED: NO.

REQUEST FOR ADDITIONAL REPORTER'S TRANSCRIPT FILED: NO.

NAME OF REPORTER: VALERIE LARSON

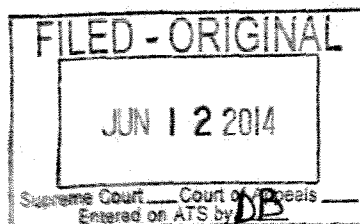
WAS REPORTER'S TRANSCRIPT REQUESTED? YES, NOT IDENTIFIED

DATED THIS 9<sup>TH</sup> DAY OF JUNE, 2014.

R. ANN DUTSON-SATER  
CLERK OF THE DISTRICT COURT

BY Saranne H.  
DEPUTY CLERK

Clerk's Certificate of Appeal -1-



0215



## STATE OF IDAHO

OFFICE OF THE STATE APPELLATE PUBLIC DEFENDER

CLERK OF DISTRICT COURT  
JAMES E. HANER  
TULSA DISTRICT COURT

2014 JUN 23 P 3:33

CLERK DISTRICT COURT  
*DMH*

June 23, 2014

VIA FACSIMILE: (208) 263-0896

Clerk of the Court

Re: State v. Edwards, Supreme Court Docket No. 42202  
Case No. CR 2013-3324

Dear Clerk:

Attached please find the Amended Notice of Appeal in the above referenced case. Please return a conformed copy of the first page of each document filed by way of facsimile to (208) 334-2985.

**PLEASE NOTE:** A certified copy of all notices of appeal or amended notices of appeal must be timely forwarded by the District Court to the Idaho Supreme Court. Failure to properly forward a copy to the Idaho Supreme Court may result in a delay in the preparation of transcripts in this appeal. By filing a timely notice of appeal, the appellant has asserted his or her right to a speedy appeal.

Thank you for your assistance and if you have any questions, please don't hesitate to call. (208) 334-2712.

Sincerely,

NANCY SANDOVAL  
Administrative Assistant  
State Appellate Public Defenders Office  
(208) 334-2712

Enclosures

SARA B. THOMAS  
State Appellate Public Defender  
I.S.B. #5867

ERIK R. LEHTINEN  
Chief, Appellate Unit  
I.S.B. #6247  
3050 N. Lake Harbor Lane, Suite 100  
Boise, ID 83703  
(208) 334-2712

STATE OF IDAHO  
COUNTY OF BONNER  
FIRST JUDICIAL DIST.

2014 JUN 23 P 3:33

CLERK DISTRICT COURT  
*DMH*  
DEPUTY

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT  
OF THE STATE OF IDAHO, IN AND FOR BONNER COUNTY

STATE OF IDAHO,  
  
Plaintiff-Respondent,  
  
v.  
  
JODIE MARIE EDWARDS,  
  
Defendant-Appellant.

CASE NO. CR 2013-3324  
  
S.C. DOCKET NO. 42202  
  
AMENDED  
NOTICE OF APPEAL

TO: THE ABOVE-NAMED RESPONDENT, STATE OF IDAHO, AND THE PARTY'S ATTORNEYS, LEWIS E. MARSHALL, III, BONNER COUNTY PROSECUTOR, 127 S FIRST AVENUE, SANDPOINT, ID, 83864, AND THE CLERK OF THE ABOVE-ENTITLED COURT:

NOTICE IS HEREBY GIVEN THAT:

1. The above-named appellant appeals against the above-named respondent to the Idaho Supreme Court from the Judgment and Sentence entered in the above-entitled action on the 6<sup>th</sup> day of May, 2014, the Honorable Barbara A. Buchanan, presiding.
2. That the party has a right to appeal to the Idaho Supreme Court, and the judgments or orders described in paragraph 1 above are appealable orders under and pursuant to Idaho Appellate Rule (I.A.R.) 11(c)(1-10).

3. A preliminary statement of the issues on appeal, which the appellant then intends to assert in the appeal, provided any such list of issues on appeal shall not prevent the appellant from asserting other issues on appeal, is/are:

a. Did the district court err in failing to grant the appellant's motion to suppress evidence?

4. There is a portion of the record that is sealed. That portion of the record that is sealed is the Pre-Sentence Investigation Report (PSI).

5. **Reporter's Transcript.** The appellant requests the preparation of the **entire reporter's standard transcript** as defined in I.A.R. 25(c). The appellant also requests the preparation of the additional portions of the reporter's transcript:

- a. Entry of Plea Hearing held December 17, 2014 (Court Reporter: Val Larson, estimation of less than 100 pages); and
- b. Sentencing Hearing held on May 6, 2014 (Court Reporter: Val Larson, estimation of less than 100 pages).

6. **Clerk's Record.** The appellant requests the standard clerk's record pursuant to I.A.R. 28(b)(2). The appellant requests the following documents to be included in the clerk's record, in addition to those automatically included under I.A.R. 28(b)(2):

- a. Court Log – PC for Search Warrant CTRM# 4 TIME: 236 filed July 17, 2013;
- b. Search Warrant Issued July 17, 2013;

- c. Supplemental Affidavit in Support of Request for Search Warrant filed July 17, 2013;
- d. Search Warrant Returned filed July 29, 2013;
- e. Any affidavits, objections, responses, briefs, stipulations or memorandums, filed or lodged, by the state, appellant or the court in support of or in opposition to the Motion to Suppress including, but not limited to, the State's Response to Defendant's Motion to Suppress filed September 30, 2013, Stipulation for Hearing on Defendant's Motion to Suppress and Brief in Support of Defendant's Motion to Suppress lodged November 5, 2013; and
- f. Letters from Defendant filed December 2, 2013, and February 20, 2014;
- g. Rule 11 Conditional Plea filed December 17, 2013;
- h. Written Plea of Guilty filed December 17, 2013;
- i. Alford Plea filed December 17, 2013;
- j. Pre-Trial Settlement Agreement filed December 17, 2013;
- k. Letter to Court from Ryan McMorris, Presentence Investigator filed February 25, 2014; and
- l. Any exhibits, including but not limited to letters or victim impact statements and other addendums to the PSI or other items offered at the sentencing hearing.

7. I certify:



- a. That a copy of this Amended Notice of Appeal has been served on the Court Reporter, Valerie Larson;
- b. That the appellant is exempt from paying the estimated fee for the preparation of the record because the appellant is indigent. (Idaho Code §§ 31-3220, 31-3220A, I.A.R. 24(e));
- c. That there is no appellate filing fee since this is an appeal in a criminal case (Idaho Code §§ 31-3220, 31-3220A, I.A.R. 23(a)(8));
- d. That arrangements have been made with Bonner County who will be responsible for paying for the reporter's transcript, as the client is indigent, I.C. §§ 31-3220, 31-3220A, I.A.R. 24(e);
- e. That service has been made upon all parties required to be served pursuant to I.A.R. 20.

DATED this 23<sup>rd</sup> day of June, 2014.



ERIK R. LEHTINEN  
Chief, Appellate Unit

CERTIFICATE OF MAILING

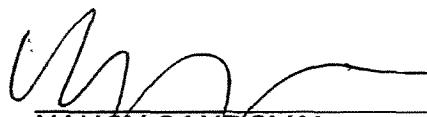
I HEREBY CERTIFY that I have this 23<sup>rd</sup> day of June, 2014, caused a true and correct copy of the attached AMENDED NOTICE OF APPEAL to be placed in the United States mail, postage prepaid, addressed to:

JANET K. WHITNEY  
BONNER COUNTY PUBLIC DEFENDER  
123 S. FIRST AVENUE  
SANDPOINT, ID 83864

VALERIE LARSON  
COURT REPORTER  
215 S 1ST AVENUE  
SANDPOINT ID 83864  
NOTE: VALERIE E. TYMESON IS HER MAIDEN NAME, SHE IS NOW  
MARRIED.

LEWIS E. MARSHALL III  
BONNER COUNTY PROSECUTOR'S OFFICE  
BONNER COUNTY PROSECUTOR  
127 S FIRST AVE  
SANDPOINT ID 83864

KENNETH K. JORGENSEN  
DEPUTY ATTORNEY GENERAL  
CRIMINAL DIVISION  
P.O. BOX 83720  
BOISE, ID 83720-0010  
Hand delivered to Attorney General's mailbox at Supreme Court

  
\_\_\_\_\_  
NANCY SANDOVAL  
Administrative Assistant

ERL/tmf/ns

BONNER COUNTY PUBLIC DEFENDER  
Janet K. Whitney (ISBN: 6624)  
123 S. First Ave.  
Sandpoint, Idaho 83864  
Phone: (208) 255-7889; Fax: (208) 255-7559

STATE OF IDAHO  
COUNTY OF BONNER  
FIRST JUDICIAL DIST.

2014 JUN 26 PM 2 00

DMH

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

STATE OF IDAHO,

Plaintiff,

V.

JODIE M. EDWARDS,

Defendant.

CASE NUMBER CR-13-0003324

NOTICE OF WITHDRAWAL AFTER  
ENTRY OF JUDGMENT PURSUANT  
TO I.C.R. 44.1

YOU ARE HEREBY NOTIFIED that the Office of the Bonner County Public Defender hereby  
withdraws as counsel of record in the above entitled matter pursuant to I.C.R. 44.1 which authorizes  
withdrawal by written notice after entry of judgment and the time for appeal has expired and there are no  
proceedings pending.

DATED this 26 day of June, 2014.

OFFICE OF THE BONNER  
COUNTY PUBLIC DEFENDER

BY:

Janet Whitney  
JANET K. WHITNEY  
PUBLIC DEFENDER

**CERTIFICATE OF MAILING**

I hereby certify that a true and correct copy of the foregoing was personally served by placing a copy of the  
same in the interoffice mailbox on the 26 day of June, 2014, addressed to:

Bonner County Prosecutor

LD

STATE OF IDAHO  
COUNTY OF BONNER  
FIRST JUDICIAL DIST.

2014 JUL 28 PM 1 00

CLERK DISTRICT COURT  
*DMH*  
DEPUTY

TO: Clerk of the Court  
Bonner County Courthouse  
215 South First Street  
Sandpoint, Idaho 83864

CASE NO. CR 2013-3324

DOCKET NO. 2014-42202

( STATE OF IDAHO  
(  
( vs  
(  
( JODIE MARIE EDWARDS

NOTICE OF TRANSCRIPTS LODGED

Notice is hereby given that on July 28, 2014, I lodged the transcripts from the Entry of Plea held on December 17, 2013 and Sentencing held on May 6, 2014 totaling 26 pages for the above-referenced case with the District Court Clerk of the County of Bonner in the First Judicial District.

*Valerie E. Larson*  
\_\_\_\_\_  
Valerie E. Larson  
July 28, 2014

IN THE SUPREME COURT OF THE STATE OF IDAHO

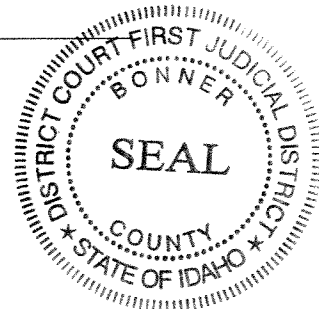
STATE OF IDAHO,	)	SUPREME COURT NO. 42202-2014
	)	BONNER COUNTY CR2013-3324
Plaintiff/ Respondent,	)	
	)	
vs.	)	
	)	CLERK'S CERTIFICATE
JODIE MARIE EDWARDS,	)	
	)	
Defendant/ Appellant.	)	
_____	)	

I, R. Ann Duton-Sater, Clerk of the District Court of the First Judicial District of the State of Idaho, in and for the County of Bonner, do certify that the foregoing Record in this cause was compiled and bound under my direction and is a true, correct and complete Record of the pleadings and documents requested by Appellant Rule 28.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Court this 8<sup>th</sup> day of August, 2014.

R. Ann Duton-Sater,  
Clerk of the District Court

Darancee H.  
Deputy Clerk



IN THE SUPREME COURT OF THE STATE OF IDAHO

STATE OF IDAHO,	)	SUPREME COURT NO. 42202-2014
	)	BONNER COUNTY CR2013-3324
Plaintiff/ Respondent,	)	
	)	
vs.	)	
	)	CLERK'S CERTIFICATE OF EXHIBITS
JODIE MARIE EDWARDS,	)	
	)	
Defendant/ Appellant.	)	
_____	)	

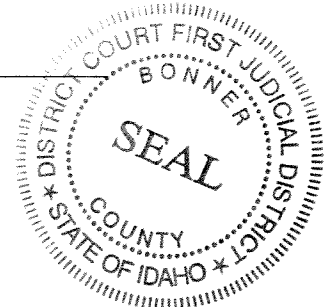
I, R. Ann Dutson-Sater, Clerk of the District Court of the First Judicial District of the State of Idaho, in and for the County of Bonner, do hereby certify that the following is offered as the Clerk's exhibit on appeal:

Jail Booking Sheet filed July 5, 2013  
PSI Face Sheet filed December 17, 2013  
Jail Booking Sheet filed March 11, 2014  
Presentence Report filed April 21, 2014

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Court this 8<sup>th</sup> day of August 8, 2014.

R. Ann Dutson-Sater  
Clerk of the District Court

Baranee H.  
Deputy Clerk



Certificate of Exhibits

IN THE SUPREME COURT OF THE STATE OF IDAHO

STATE OF IDAHO,	)	SUPREME COURT NO. 42202-2014
	)	BONNER COUNTY CR2013-3324
Plaintiff/Respondent,	)	
	)	
vs.	)	CLERK'S CERTIFICATE
	)	OF SERVICE
JODIE MARIE EDWARDS,	)	
	)	
Defendant/ Appellant	)	
_____	)	

I, R. Ann Dutson-Sater, Clerk of the District Court of the First Judicial District of the State of Idaho, in and for the County of Bonner, do hereby certify that I have personally served or mailed, by United Postal Service, one copy of the CLERK'S RECORD to each of the Attorneys of Record in this cause as follows:

LAWRENCE WASDEN  
ATTORNEY GENERAL  
P.O. BOX 83720  
BOISE, ID 83720-0010


ATTORNEY FOR RESPONDENT

SARA B. THOMAS  
STATE APPELLATE PUBLIC DEFENDER  
P.O. BOX 83720  
BOISE, ID 83720-0005

ATTORNEY FOR APPELLANT

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Court this 8<sup>th</sup> day of August, 2014.

R. Ann Dutson-Sater  
Clerk of the District Court

  
Deputy Clerk

Certificate of Service

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